

## CITY OF OKEECHOBEE CODE ENFORCEMENT CODE SPECIAL MAGISTRATE HEARING

55 Southeast Third Avenue, Okeechobee, Florida 34974 **OFFICIAL MINUTES MARCH 10, 2020** 6:30 P.M.

## CALL TO ORDER

Special Magistrate Azcona called the Hearing to order at 6:30 p.m.

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Code Enforcement Secretary Melissa Close called the roll.

Special Magistrate Roger Azcona, Esq.

City Attorney Carlyn H. Kowalsky

Police Lieutenant Justin Bernst

Code Officer Fred Sterling

Code Enforcement Board Secretary Melissa Close

### PLEDGE OF ALLEGIANCE ≡

- ADMINISTRATION OF OATH
  - CHANGES TO THE AGENDA

Fred Sterling, Code Enforcement Officer, stated that there were no changes to the agenda.

### APPROVAL OF MINUTES ≥

Special Magistrate Roger Azcona, Approved the February 11, 2020, Hearing

## CASES COMPLIED OR CONTINUED >

- Case Number 191202005; Timothy and Tamara Higgins 406 Southwest 2<sup>nd</sup> Street, Okeechobee, Florida 34974. [Lots 9 and 10, Block 166, City of Okeechobee, According to the Plat Thereof Recorded in Plat Book 5, Page 5, Public Records of Okeechobee County Florida] (Chapter 30 Section 30-44 General Cleaning and Beautification and Chapter 30 Section 30-43 Public Nuisance) of the City of Okeechobee Code Ordinances, Came into compliance on March 3, 2020. ä
- Northeast ¼ one fourth of section 28, Township 37 South, Range 35 East, running West 361 feet more or less to East lone of Parrott Avenue; thence South along said East line of Parrott Avenue 200 feet; thence East 361 fee, more or less to East boundary line of Section 28; thence North along Section line 200 feet to Point of Beginning, being a part Case Number 191217007; Okeechobee-FLA Properties LLC 2000 Block South Parrott Avenue, Okeechobee, Florida 34974. [The North 1/2 One half of the following described tract: Beginning 400 feet South of the Northeast corner of Southeast ½ one fourth of the Range 35 East; being to the same parcel transferred by Louisiana Raulerson and Peter Raulerson to S. J. Woddill, recorded on page 149 of Book 4, records of Okeechobee county, Florida and the South ½ one half of the Northwest ¼ one fourth of the Southwest % one fourth of the Northwest % one fourth of Section 27, Township 37 south, Range 35 Section 30-43 Public Nuisance) of the City of Okeechobee Township 37 of Southeast 1/4 one fourth of Northeast 1/4 one fourth of Section 28, Ordinances, Came into compliance on March 5, 2020. East] (Chapter 30 മ
- Okeechobee, Florida 34972. Lots 1 and 2 Block 86, Okeechobee, according to the Plat Thereof Recorded in Plat Book 2, Page 17, Public Records of St. Lucie County, Florida and Re-recorded in Plat Book 5, Page 5, public records of Okeechobee County, Florida] (Chapter 30 Section 30-41 Inoperable/Abandoned Vehicle) of the City of Okeechobee Case Number 191016009; Iglesia De Cristo En Okeechobee 506 Northeast 6th Street, Code Ordinances, Came into compliance March 4, 2020. ပ

- Case Number 200224004; Salary RR Assessed by DOR C/O CSX Corporation 800 Block Hwy 441 North, Okeechobee, Florida 34972. [All of the Railroad as now Lying and Located within the City of Okeechobee] (Chapter 30 Section 30-43 Public Nuisance and of the Okeechobee Ordinances, Came into Compliance on February 27, 2020. Beautification) and Cleaning 30-44 General Section 30 ۵
- Thereof, Recorded in Plat Book 2, Page 17, of the Public Records of St. Lucie County. Florida, A Copy of Said Plat Being Also Recorded in Plat Book 1, Page 10, Public Records of Okeechobee County, Florida] (Chapter 30 Section 30-43 Public Nuisance and Chapter according to the Plat 30 Section 30-44 General Cleaning and Beautification) of the City of Okeechobee Code Ordinances, Came into Compliance on March 9, 2020. Street, Southwest Park of Block 166, Okeechobee, Case Number 191202007; Smalls Electrical Services 405 Okeechobee, Florida 34974. [Lot 2 of Block 166, Okeechobe Thereof, Recorded in Plat Book 2, Page 17, of the Public Recorded ші
- Case Number 200225006; H. T. Joiner 202 Southwest 9th Street, Okeechobee, Florida 34974. [Lots 9,10 and 11 of Block 3, South Okeechobee According to the Plat Thereof Recorded in Plat Book 1, Page 12, Public Records of Okeechobee County, Florida] the owner and they are in the process of selling the property. They also stated that the repairs will be done, but they need more time. Due to Officer Sterling's Testimony this case was tabled until the next scheduled Special Magistrate Hearing. (International Property Maintenance Code 304-1 Exterior of Structure must be Maintained and in Good Condition/Repairs and Must be Structurally Sound) Florida International Property Maintenance Code. Code Officer Sterling stated that he has been in touch with T. Joiner 202 Southwest 9th Street, Okeechobee, Ľ.

# VI. REPEAT VIOLATIONS

There were no repeat violations heard.

## VII. NEW CASES

- spoken to Mr. Nooruddin on numerous occasions and he was going to get the property mowed. As of March 9, 20020 the property had not been touched. Officer Sterling recommended that Case 190925012 be found in violation and a fine imposed. Due to Officer Sterling's testimony Special Magistrate Azcona found case 190925012 to be in violation of Chapter 30 Section 30-43 Public Nuisance and Chapter 30 Section 30-44 General Cleaning and Beautification of the City of Okeechobee Ordinances. Magistrate Azcona imposed a fine of \$25.00 a day to start 14 days after proper notification, with a Okeechobee, According to the Plat thereof in Plat Book 5, Page 5, Public Records of Okeechobee County, Floridal (Chapter 30 Section 30-43 Public Nuisance and Chapter Case Number 190925012; Muhammad and Shahnaz Nooruddin 200 Block Northeast 12<sup>th</sup> 30 Section 30-44 General Cleaning and Beautification) Code Officer Sterling was sworn in and testified to the following. The grass on this property has not been mowed since September 2019 and is about 2 to 3 inches high. Officer Sterling stated that he has Block 15 City Florida 34972. [Lots 7,8,9,10,26 and 34 \$50.00 Administrative fee. Okeechobee, ä
- Case Number 190925011; Muhammad and Shahnaz Nooruddin 200 Block Northeast 12<sup>th</sup> Street, Okeechobee, Florida 34972. [Lots 21 and 22, Block 15, City of Okeechobee, According to the Plat Thereof as recorded in Plat Book 5, Page 5, of the Public Records of Okeechobee County Florida] (Chapter 30 Section 30-43 Public Nuisance and Chapter 30 Section 30-44 General Cleaning and Beautification) Code Officer Sterling was sworn in and testified to the following. The grass on this property has not been mowed since September 2019 and is about 2 to 3 inches high. Officer Sterling stated that he has Officer Sterling's testimony Special Magistrate Azcona found case 190925012 to be in violation of Chapter 30 Section 30-43 Public Nuisance and Chapter 30 Section 30-44 General Cleaning and Beautification of the City of Okeechobee Ordinances. Magistrate Azcona imposed a fine of \$25.00 a day to start 14 days after proper notification, with a spoken to Mr. Nooruddin on numerous occasions and he was going to get the property mowed. As of March 9, 20020 the property had not been touched. Officer Sterling recommended that Case 190925011 be found in violation and a fine imposed. Due to \$50.00 Administrative fee.

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Section 30-44 General Cleaning and Beautification) Code Officer Sterling was sworn in and testified that this property has two old boats with no registration/tag on either and they have been on this property for a few years now. Mr. Sterling also stated that they have two truck with expired tags. On has the hood open and the other is up on jacks in the front driveway. Due to Officer Sterling's testimony Special Magistrate Azcona found case 200110013 to be found in violation of Chapter 30 Section 30-41 Block 52, Conners Highlands, according to the Plat Thereof Recorded in Plat Book, Page 21, Public Records of Okeechobee, Floridal (Chapter 30 Section 30-41 Inoperable/Abandoned Vehicles and Inoperable/Abandoned Vehicles and Chapter 30 Section 30-44 General Cleaning and Beautification of the City of Okeechobee Ordinances. Magistrate Azcona imposed a fine of \$25.00 a day to start 14 days after proper notification, with a \$50.00 Administrative fee 16<sup>th</sup> Northwest Okeechobee, Florida 34972. [Lot 26 and the East ½ one half of Lot 25, 501 Sharon Williams Gregory and 200110013; Number

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Okeechobee City, According to the Plat Thereof recorded in Plat Book 2, Page 17, Public Records of Okeechobee County, Florida. Abd The Alley in Block 4, Price Addition to Okeechobee City, according to the Plat Thereof recorded in Plat Book 2, Page 17, Public Records of Okeechobee County, Florida. And The Street Known as Northeast 2<sup>nd</sup> Street (F/K/A Center Street) as it Runs East from North 12<sup>th</sup> Avenue to Northeast 13<sup>th</sup> Avenue, Particularly Located North of Block 4, Price addition to Okeechobee City, According to the Plat Thereof as recorded in Plat Book 2, Page 17, Public Records of Okeechobee County, Floridal (Chapter 30 section 30-43 Public Nuisance and Chapter 30 Section 30-44 General Cleaning and Beautification) Code Officer Sterling was sworn in and testified that the property has not ben mowed since July 15, 2019. Officer Sterling stated that this is the first lot you see as you enter the City Limits coming west on 70. Officer Sterling also stated that the property is about 30-40 Acres and that this property is also a repeat violator. Officer Sterling stated that with the property owner being a repeat offender the fine can start immediately without notification according to 162 Sate Statues of Code Enforcement. Special Magistrate Found Case 191030022 to be in violation of Chapter 30 Case Number 191030022; William Grigsby JR Highway 70 East, Okeechobee, Florida 34972. [All of Lots 1 Through 12 Inclusive, Lying North of North Park Street (A/K/A State Road 70 F/K/A Fort Pierce Road) as now constructed, in Block 4, Price Addition to repeat offender due to Officer Sterling's testimony. Magistrate Azcona imposed a fine to Cleaning Beautification. Special Magistrate Azcona also found this property and Owner to General start 03/11/2020 at \$50.00 a day along with a \$50.00 Administrative Fee. Section 30-43 Public Nuisance and Chapter 30 Section 30-44 stated that the property

# **OLD CASES AND FINE REDUCTION REQUESTS** <u>=</u>

# IX. ADJOURN MEETING

hearing was the Special Magistrate, come before the business to further adjourned at 6:50 P.M. 2 There being

Roger Azcona, Special Magistrate

ATTEST:

Melissa Close, Secretary

PLEASE TAKE NOTICE AND BE ADVISED that if any person desires to appeal any decision made by the Special Magistrate with respect to any matter considered at this proceeding, such interested person will need a record of the proceeding, and for such purpose may need to ensure a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. City Clerk recordings are for the sole purpose of backup for official records of the Clerk. In accordance with the Americans with Disabilities Act (ADA), any person with a disability as defined by the ADA, that needs special accommodation to participate in this proceeding, contact the Board Secretary no later than two business days prior to proceeding, 863-763-3372 ext. 9802.

**BE ADVISED** that should you intend to show any document, picture, video, or item to the Council in support or opposition to any item on the agenda; a copy of the document, picture, video, or item must be provided to the Board Secretary for the City's records.



### City of Okeechobee Code Enforcement 50 SE 2<sup>nd</sup> Ave, Okeechobee Florida 34974

### **Special Magistrate Hearing**

### June 9, 2020 Meeting

### **List of Exhibits**

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Exhibit V – A	O 11	a resident landers and	400740004	David	Daniela	D 111	
Exhibit V - A	Lase N	Ilmber.	190712004 -	- David	Daniels	H	

Exhibit VII - A Case Number: 191107027 - Michele Watson & Perry Johnson

Exhibit VII - B Case Number: 191202004 - Raulerson & Raulerson

Exhibit VII - C Case Number: 19101006 - Augustin Mendoza

Exhibit VII - D Case Number: 190927004 - Omar Abuaita

Exhibit VII - E Case Number: 20031003 - Ma C Cervantes & Lara Herlinda

Exhibit VII - F Case Number: 190904005 - Manuela Pineda

Exhibit VII - G Case Number: 191115015 - Blue Springs Holdings LLC

Exhibit VII - H Case Number: 200505009 - Morgan and Family Holdings II LLC

Exhibit VII - I Case Number: 191114002 - Yvette Banner

Exhibit VII - J Case Number: 191107023 - David Altman

Exhibit VII - K Case Number: 200128021 - Forest Gainer

Exhibit VII - L Case Number: 200423009 - Okeechobee Lake Corporation

Exhibit VII - M Case Number: 200413005 - Graciela Segura

Exhibit VII - N Case Number: 200520004 - Paula Garrard

Exhibit VII – O Case Number: 200406017 – Joseph Danna

Exhibit VII - P Case Number: 200513010 - Andrew Doe

Exhibit VII – Q Case Number: 200526012 – Ruiz Investments LLC (Azteca)

Exhibit VIII - A Case Number: 190626010 - Leon & Tisha Edouard

Exhibit VIII - B Case Number: 190712014 - Heidi Sherer

Exhibit # V – A

Case Number 190712004

David Daniels R III

### City of Okeechobee

### **Code Enforcement**

Case #: 190712004

Name: David Daniels R III

Property Location: 102 SE Park Street

**Code Board Action**: Imposed a fine starting October 18, 2019 @ \$25.00 per day for code violation Chapter 30 Section 30-43 Public Nuisance, Section 30-44 General Cleaning and Beautification, Chapter 90 Section 90-562 & 90-563

### **Accrual of Fine:**

2019 20

April =days

May =days

July = days

August = days

September = days

October = 14 days @ \$25.00

November = 30 days @ 25.00

December = 31 days @ \$25.00

Total = 75 days

Administrative Fee = \$25.00

**Total Amount Due = \$1,900.00** 

Date of Compliance January 1, 2020

mailed Glard 7/15/19 190712004



### Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 3-15-37-35-0010-01700-0010 | STORES/1 S (001100) | 0.977 AC CITY OF OKEECHOBEE LOTS 1 TO 6 INC BLOCK 170

DANIEL DAVID R III 2019 Certified Values Owner: 548 NW 50TH DR Mkt Lnd \$247,488 Appraised \$620,070 OKEECHOBEE, FL 34972 Assessed \$620,070 Ag Lnd 102 SE PARK ST, Bldg \$356,687 Exempt \$0 **OKEECHOBEE** county:\$620,070 city:\$620,070 **XFOB** \$15,895

8/1/1992 1 (U) Total Info \$620,070 other:\$620,070 Taxable school:\$620,070



This information, was derived from data which was compiled by the Okeechobee County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.

GrizzlyLogic.com

1 30 Sec 30-44 General Cleaning 3,4+5 30-43 Public Noisance

Site:

Sales

Ch 90 Sec 90-563 Permit + planning



### Okeechobee City Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795/Fax 863-763-7804



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

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1 0	LIL	16 71	ner,

vs

Respondent,

David Daniels R II

Date

09/20/2019

CASE NO. 190712004

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: 30-43, 30-44 Ch 9058C 90-563 + 90-562
- 2. Address and Parcel# where violation exists: 102 SE Park Street

3-15-37-35-0010-01700-0010

3. Name and address of property owner or person in charge of location where violation exists:

David R Daniel II - 548 NW 50th Drive

4. Description of Violation: Public Nuisance, General Cleaning and Beautification &

Compliance with Division Provisions & Permit and Plans Required

- 5. Date violation must be corrected by Oct 1, 2019
- 6. Date violation first observed on or about. 7/12/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 8th day October 20 h at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.



### CITY OF OKEECHOBEE

### CODE ENFORCEMENT

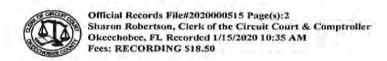
CASE# 190712004
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David Daniels 11 102 SE Pair St Okerhober, £1.34974

I hereby certify receipt of St. of Violation + Hearing hand delivered by the City of Okeechobee Code Enforcement Officer.

Receipients Signature	9-24-19 Date
DAVID SAW MARTIN	
Printed Name //-//-7)	Drivers License
Date of Birth	

CINTINOON



### CODE ENFORCEMENT SPECIAL MAGISTRATE THE CITY OF OKEECHOBEE, FLORIDA

CASE NO. 190712004

CITY OF OKEECHOBEE,				
PETITIONER,				
-vs-				
RESPONDENT,				
David Daniels R II	_/			
		LIEN / ORI	DER	

THIS CAUSE came before the Code Enforcement Board, City of Okeechobee, for public hearing on October 8..., 2019. After due notice to the respondent, the Board having heard evidence on the alleged violation by witnesses or affidavit makes the following findings:

### A. FINDINGS OF FACT:

Lots:1 to 6 Blk: 170 Section: City of Okeechobee Parcel: 3-22-37-35-0270-00050-0090 Property location: 102 SE Park Street

Property location: 102 SE Park Street Property owner: David Daniels R II

### B. CONCLUSIONS OF LAW:

The owner of the property described above has been found in violation of: Ch 30 Sec 30-43m Public Nuisance; Ch 30 Sec 30-44 General Cleaning and Beautification; Ch 90 Sec 90-563 & 90-592 Permit & Planning

C. ORDER: The City of Okeechobee Code Enforcement Special Magistrate has determined you have violated the Code of Ordinances Ch 30 Sec 30-43, 30-44 & Ch 90 Sec 90-563 & 952

concerning your property located at 102 SE Park Street , Okeechobee, FL.

If you do not correct the violation Fourteen (14) day after proper notification , or notify the Code Enforcement Officer of the correction, the Magistrate imposes a fine of \$25.00 per day, Also a onetime fee of 25.00 for administrative fees, commencing that date and continuing daily until the violation is corrected or the city is notified by you and verifies the correction, which ever first occurs. Further, if you do not correct the violation by said date, a copy of this order as a claim of lien, shall be recorded in the office of the Clerk of Circuit Court, Okeechobee County, Florida, and once recorded, becomes a lien on real and personal property pursuant to Florida Statute 162. You have a right within thirty days, to appeal this finding and order by Writ of Certiorari to the Circuit Court, Okeechobee County, Florida. If you correct the violation prior to the above date, it is your obligation to contact the Code Enforcement Officer to verify such compliance.

File Num # 2020000515 1/15/2020 2 of 2

AGREED AND ORDERED this 15th day of OCHOBIL , 2019.

CITY OF OKEECHOBEE, Petitioner Day of Ochobic Respondent

CODE ENFORCEMENT
City of Okeechobee, Florida

ATTEST:

Special Magistrate

Code Enforcement Officer

Recording Secretary

STATE OF FLORIDA COUNTY OF OKEECHOBEE

PERSONALLY appeared before me the undersigned authority, <u>Roger Azcona</u>, <u>Fred Sterling</u> and <u>Melissa Close</u>, well known to me and known by me to be the Code Enforcement Special Magistrate, Code Enforcement Officer and Recording Secretary, respectively, of the CITY OF OKEECHOBEE CODE ENFORCEMENT.

SWORN TO AND SUBSCRIBED before me this 15 day of October 2019

My Commission expires:

Hotery Public State of Plorids Terica Garcia July Commission GG 270873 Explore 11/17/2022

Please return to: City of Okeechobee Code Enforcement 55 SE 3<sup>rd</sup> Avenue Okeechobee, FL 34974 (863) 357-1971

COURT RELATED PRMT	\$3.80
LIEN	
Instrument Number: 2	020000513
RECORDING FEES	\$9.00
BOCC	\$4.00
FACC FEE	\$0.20
TRUST FUND FEE COURT RELATED PRMT	\$1.50
LIEN	\$3.80
Instrument Number: 20	020000514
RECORDING FEES	20.00
BOCC	\$9.00 \$4.00
FACC FEE	\$0.20
TRUST FUND FEE	\$1.50
COURT RELATED PRMT	\$3.80
LIEN	
Instrument Number: 20	20000515
RECORDING FEES	\$9.00
BOCC	\$4.00
FACC FEE	\$0.20
TRUST FUND FEE	\$1.50
COURT RELATED PRMT	\$3.80
CHECK/CASHIERS CHEC AMOUNT: \$229.50	
ALIANA AND AND AND AND AND AND AND AND AND	1.7.7.7.7
Total Payments	\$229.50
Total Fees	\$229.50
Shortage	\$0.00
Check Overage	\$0.00

Rec By:

Madalyn Pinon

Deputy Clerk

www.clerk.co.okeechobee.fl.us/Official\_Records.htm

**CITY OF OKEECHOBEE** 55 S.E. 3RD AVENUE • OKEECHOBEE, FL 34974

REMITTANCE STATEMENT

NET AMOUNT	229.50			229.50
NET				TOTAL
DISCOUNT				
GROSS AMOUNT	229.50			
INVOICE NO.	Sees Lilling Lees			

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only For delivery information, visit our website at www.usps.com® Certified Mail Fee Extra Services & Fees (check box, add fee as appropriate, Return Receipt (hardcopy) Postmark Return Receipt (electronic) Here Certified Mail Restricted Delivery Adult Signature Required Adult Signature Restricted Delivery Postage Total Postage and Fees .1 SENDER: COMPLETE THIS SECTION Attach this card to the back of the mailpiece. 2 Print your name and address on the reverse PS Form 3811, July 2015 PSN 7530-02-000-9053 Complete items 1, 2, and 3. so that we can return the card to you. or on the front if snace permits. Article Number (Transfer from service label) Okeechobee, FL. 34972 548 NW 50th Dr David Daniels R II 2079 9590 9402 5044 9092 4558 87 1130 0001 8957 T834 3. Service Type

Adult Signature

Cardill Restricted Delivery

Certified Mail®

Certified Mail®

Certified Mail®

Certified Mail®

Collect on Delivery

Collect on Delivery Restricted Delivery

Mail (A) Signature COMPLETE THIS SECTION ON DELIVERY Mail Restricted Delivery 00) delivery address below: iress different from item 1? pted Name) ☐ Priority Mail Express®
☐ Registered Mail ™
☐ Registered Mail Restricted
☐ Delivery Domestic Return Receipt ☐ Signature Confirmation
☐ Signature Confirmation
Restricted Delivery ☐ Return Receipt for Merchandise Date of Delivery ONO ☐ Addressee □l'Yes ☐ Agent

# MAGISTRATE DISCUSSION - VOTE A. Disposition of Cases presented by Code Officer Sterling continued. PUBLIC HEARING ITEMS CONTINUED ⋚

David Daniel 102 NE Park Street

Ch 30 Sec 30-43 Public Nuisance Ch 30 Sec 30-44 General Cleaning and Beautification Ch 90 Sec 90-563 Compliance with Division Provisions Ch 90 Sec 90-562 Permit & Planning Required

Ch 30 Sec 30-44 General Cleaning and Beautification Edwin Gassaway 1005 SW 5th Ave Ch 30 Sec 30-43 Public Nuisance Case No. 19075016

Sandra Galletto 202 NE 2nd Ave Ch 90 Sec 90-561 Signs Citation Number 0119

up and painting. He also stated that they are in the process of getting new lighted signs for the front of the Code Enforcement Officer Sterling testified that Case No. 190712004 David Daniel is in violation of general cleaning, public nuisance and not proper signs on the front of the plaza. Code Officer Sterling stated the gentleman at the Mattress Center is now managing the building and is in the process of cleaning the property property. At this time no permits have been pulled for the signs and the property is still not in compliance. Special Magistrate Azcona found Case No. 190712004 David Daniel 102 NE Park Street to be in violation of CH 30 Sec 30-43 Public Nuisance, Ch 30 Sec 30-44 General Cleaning and Beautification, Ch 90 Sec 90-563 &90-562. Due to Code Officer Sterling's testimony. Magistrate Azcona imposed a fine of \$25.00 a day starting 14 days after proper notification, to give them time to come in and apply for the proper permitting needed. A \$25.00-dollar administrative fee has also been imposed.

them that this needed to be taken care of. Linda from the Mortgage company informed us that they are in the Code Enforcement Office Sterling testified that Case No. 19075016 Edwin Gassaway 1005 SW 5th Ave, was back up for review. Officer Sterling testified to being in contact with the mortgage company and that they have cleaned up most of the property. He stated that the back yards grass is at least waist high and that he informed process of renting a bush hog and will have the issue resolve by the end of the week.

of Ch 30 Sec 30-43 Public Nuisance and Ch 30 Sec 30-44 General Cleaning and Beautification, due to Code Officer Sterling's Testimony. Magistrate Azcona imposed a fine of \$25.00 dollars a day to start Special Magistrate Azcona found Case 19075016 Edwin Gassaway 1005 SW 5th Ave to be in violation 14 days after proper notification. A \$25.00-dollar administrative fee was also imposed.

of the code, but she continued to put them back. Officer Sterling turned the podium over to Mrs. Galletto. Mrs. Galletto testified that they were in fact her businesses signs and that she had permission from the other placing advertisement signs on the city right of way for a few months. He stated that he would remove the signs and she would put new ones out. Officer Sterling stated that he spoke to Mrs. Galletto and informed her businesses to put the signs where they were. Officer Sterling tried to explain to Mrs. Galletto that they had to be on her property not anyone else's. Special Magistrate Azcona asked Mrs. Galletto if she understood that Code Enforcement Officer Sterling testified that Citation #0119 Sandra Galletto 202 NE 2nd Ave has been and she replied yes. Special Magistrate Azcona found Citation #0119 Sandra Galletto 202 NE 2nd Ave to be in Violation of Ch 90 Sec 90-561 Signs, due to Code Office Sterling's Testimony and Mrs. Galletos. Azcona stated that Exhibit # VII – A

Case Number 191107027

Michele and Perry Johnson



### Okeechobee County Property Appraiser Microsy L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 2-21-37-35-0A00-00018-0000 OTHER H3 | SINGLE FAM (000100) | 0.181 AC UNPLATTED LANDS OF THE CITY BEGINNING 208.7 FEET WEST OF THE NE CORNER OF SW 144 OF SW 144, RUN WEST 50 FEET; THEN BUN SOUTH 158.7 FEET; THEN RUN EAST

2019 Cortified Values **WATSON MICHELE & PERRY JOHNNY** Owner: 1012 SW 9111 ST Mild Lnd \$5,922 Appraised \$11,163 OKEECHOBEE, FL 34974 Ag Lnd \$C Assessed \$11,163 1009 SW 11TH ST, CKEECHOGEE Site: 844g \$5,241 \$5,502 RESIDENT XFOB \$0 county:\$5,581 Sales 2545016 Total alty:\$5,581 Info Just \$11,163 27145510 Taxable other:\$6,661



Okanichobee County, FL

This information, was defined from data which was complet by the Obserbober Sounty Property Appealsor Office solisty for the governmental purpose of property assessment. This information should not be reflect upon by anyone as a determination of the ownership of property or market value. No warranties, copressed or implied, are provided for the accuracy of the data herein. It's use, or it's interpedadism. Although it is periodically updated, this information may not reflect the data currently on this in the Property Appealser's office.

GrizzityLogic.com

#chool:\$5,581

Moiled 60H NOH 3-19-2020





### Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,

VS

Respondent,

Date

05/05/2020

CASE NO. 191107027

### Michele Watson & Perry Johnny

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43 & Sec 30-44
- 2. Address and Parcel# where violation exists: 1009 Sto 11th St

2-21-37-35-0A00-00018-0000

- 3. Name and address of property owner or person in charge of location where violation exists: Michele Watson & Perry Johnny 1012 SW 9th Street
- 4. Description of Violation: Mow and Clean up Yard Debris
- 5. Date violation must be corrected by May 15, 2020
- 6. Date violation first observed on or about: 11/7/19

### Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la sección 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelación sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.

### Sec. 30-43. - Public nuisances.

- (a) "Public nuisance" as defined in this section, means the existence of excessive accumulation of litter or untended vegetation, garbage, weeds, or other dead or living plant life; or places holding stagnant water, and all other objectionable, unsightly or unsanitary matter upon any lot, track of land within the city, whether uncovered or under shelter, to the extent and in the manner that such lot or parcel of land is, or may reasonably become infested or inhabited by rodents, vermin or wild animals, or may furnish a breeding place for mosquitoes, or threatens or endangers the public health, safety or welfare, including such condition causing or tending to cause disease, or by reason of such a condition, tends to impair the economic welfare of adjacent property; including abandoned or junk property as defined by this article; unsightly, derelict or unsafe building or structure which may constitute a hazard to safety, health, welfare or sense of public aesthetics by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.
- (b) All nuisances are declared to be a public nuisance and illegal within the municipal boundaries of the city, and shall be removed, corrected or otherwise satisfied at the direction of the city as provided in this article.
- (c) Any nuisance, except such nuisance as would be determined to be an emergency, existing within the city shall be brought before the code enforcement board of the city as provided in F.S. ch. 162. Upon determination by the board that a nuisance does in fact exist, the landowner or custodian thereof shall take whatever corrective measures as directed by the board, within the time period provided by the board. The remedies available to the code enforcement board, in addition to those set forth in F.S. ch. 162, shall include the authority to authorize clean up or repair of the property to come into compliance; to recommend suspension or revocation of an occupational license until the property comes into compliance; and such further remedies as provided by law. If the code enforcement officer has reason to believe a violation or the condition causing the nuisance presents a serious threat to the public health, safety or welfare, or is irreparable or irreversible in nature, he shall make a reasonable effort to notify the violator, and may immediately notify the code enforcement board and request a hearing.
- If the owner, agent or person in custody of any property upon which such nuisance should exist, fail. neglect or refuse to comply with the direction of the code enforcement board within the time provided, and such is verified by the code enforcement officer, and the code enforcement officer confirms that the person responsible was noticed of the board action by certified mail, the code enforcement officer is empowered to authorize the property to be cleaned and the nuisance abated by his own agents or authorized contractors. Prior to commencing such abatement, the code enforcement officer shall obtain a reasonable estimate for such abatement and present the estimate to the city administrator for approval. If in the opinion of the city administrator the cost of abatement exceeds the reasonable value of the property or is otherwise not warranted, then enforcement of the order of the code enforcement board may proceed via other available alternatives under law. If abatement is approved, the code enforcement officer, his agents or contractors are authorized to enter upon such property and take whatever remedial measures are necessary to abate the nuisance to comply with the order of the code enforcement board, and to protect the health, welfare and safety of the citizens of the city. Notwithstanding this procedure, if the city administrator should determine that the nuisance is in the nature of an emergency or of such an immediate danger or risk to the public as to imminently affect the public health, safety or welfare of the general public, then the city may enter upon such property at any time to take whatever remedial action as is deemed reasonable and necessary to abate the nuisance to ensure the public health and safety. In such instance, the city shall attempt all reasonable means to give the landowner, agent or person in custody of the property advance notice of the proposed actions of the city, although failure to achieve actual notice shall not prevent such abatement.
- (e) All costs incurred under this section for the abatement of the nuisance, including administrative code enforcement expenses; labor, equipment and material expenses; and any costs reasonably related to the abatement shall be the responsibility of the landowner. The total costs as calculated by the code enforcement officer shall be included in a resolution presented to the city council, who shall levy a special assessment lien against such lot. Such resolution shall describe the landowner, parcel

Sec. 30-44. - General cleaning and beautification.

- (a) In the interpretation of this section, the city has determined that all lands in the city fall into the following categories, and this Code will be enforced in this section to conform to these categories:
  - (1) Unplatted and undeveloped lands are considered to be raw land or unimproved land.
  - (2) Platted and undeveloped lands are considered to be raw land or unimproved land.
  - (3) Platted and developed lands are considered to be developed or improved land.
  - (4) Unplatted and partially developed lands are considered as developed and improved land only for that portion of the whole parcel that includes actual developed land.
- (b) All owners of improved property shall cut and keep cut all weeds, grasses or undergrowth on the entire property, to a height not to exceed eight inches. Also, all landscaping shall be trimmed and kept in a neat appearance so as not to adversely affect the aesthetic appearance of the property and adjacent properties.
- (c) When determined by the code enforcement officer of the city that a public nuisance exists, owners of all unimproved property shall cut and keep all weeds, grasses and undergrowth to a height not to exceed 12 inches, in a strip 100 feet wide around the perimeter of such property, which fronts on a public street, drainage or utility easement or is contiguous to occupied property. Also, the owner shall remove any abandoned property, garbage, litter, stagnant water, untended vegetation or noxious matter on the entire property.
- (d) All owners are deemed to be in control of and responsible for areas on or adjoining their property such as easements.
- (e) All lands in the city shall be kept free of untended vegetation or any other matter, which by reason of height, proximity to neighboring structures, physical conditions; disease such as, but not limited to: lethal yellowing palms or other peculiar characteristics which might in time of high winds, prevalent in this region, cause damage to life or property within the immediate area surrounding such region.
- (f) It shall be unlawful for any person to cause, maintain, permit or allow to be caused, maintained or permitted, the accumulation of any litter, garbage, abandoned property, stagnant water, untended vegetation or weeds on any construction or building site before, during or after completion of such construction or building. It shall be the duty of the owner or his agent to make adequate provisions for the disposal of such items and to have, on the construction or building site, adequate facilities for the disposal of such items and to make appropriate arrangements for the collection thereof.
- (g) It shall be the responsibility of all owners of improved property to maintain proper ground cover on their property (such ground cover including, but not limited to, grasses, concrete, asphalt, decorative stones) and driveways (driveway ground cover including, but not limited to, concrete, asphalt, decorative stones, in-laid brick, tile and shell rock) to prevent a condition that could endanger the health, safety and welfare of any member of the community; maintained as required in this section. Furthermore, appropriate landscaping shall be installed, replaced and maintained, in living condition, so as not to adversely affect the aesthetic appearance of the property and adjacent properties.
- (h) No persons shall sweep into or deposit in any gutter, ditch, street or other public place within the city the accumulation of litter from any building or lot or from the public sidewalks. Nor shall any owner or tenant abutting a public thoroughfare allow or suffer to remain litter upon the adjacent public sidewalk, including medians, so that litter, rubbish and refuse shall not be allowed to pile up or accumulate on such public right-of-way.
- (i) No merchant or business within the city shall allow litter to accumulate, and shall clean and otherwise rid his premises, including sidewalks, of waste matter and litter although the same may not have been deposited by him, his agents or his patrons.

(Code 1982, § 8-11(a)—(f), (j), (k); Ord. No. 797, § 2, 7-2-2002)



### Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone

863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,

VS

Respondent,

Date

03/18/2020

CASE NO. 191107027

### Michele Watson & Perry Johnny

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43 and Section 30-44
- 2. Address and Parcel# where violation exists: 1009 SW 11th Street

2-21-37-35-0A00-00018-0000

- 3. Name and address of property owner or person in charge of location where violation exists: Michele Watson & Perry Johnny 1012 SW 9th Street
- 4. Description of Violation: Mow and Yard Debris
- 5. Date violation must be corrected by Apr 1, 2020
- 6. Date violation first observed on or about: 11/7/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 14th day APIII ZUZU at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

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De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.

U.S. Postal Service<sup>™</sup> CERTIFIED MAIL® RECEIPT Domestic Mail Only 2168 8123 Dertified Mall Fee 50V/NOH 191107027 Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy)

S 0000 Return Receipt (electronic) Postmark Here Certified Mail Restricted Delivery Adult Signature Required Adult Signature Restricted Delivery \$ 1,1,20 3-19-20 Postage Total Postage and Fees 7019

50 S.E. 2nd Avenue • Okeechobee, Florida 34974

keechobee Police Depart

9972

Michele Watson & Perry Johnny 1012 SW 9th Street Okeechobee, Fl 34974

Did not mail / Hearing was cancled due to vieus (oc

Tax Deed File No. <u>2017TD132</u>
Property Identification No. <u>2-21-37-35-0A00-00018-0000</u>

### TAX DEED

STATE OF FLORIDA COUNTY OF OKEECHOBEE FILE NUM 2017009245
OR BK 796 PG 847
SHARON ROBERTSON, CLERK & COMPTROLLER
OKEECHOBEE COUNTY, FLORIDA
RECORDED 09/28/2017
ANT \$5,000.00
RECORDING FEES \$10.00
DEED DOC \$35.00
RECORDED BY 9 MEMBOURN
P9 847; (1 pg)

The following Tax Sale Certificate Numbered 3772 issued on June-01-2010, was filed in the office of the tax collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the costs and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was on the 28th day of September, 2017, offered for sale as required by law for cash to the highest bidder and was sold to MICHELE WATSON AND JOHNNY R PERRY, whose address is 1012 SW 9TH STREET OKEECHOBEE FL 34974, being the highest bidder and having paid the sum of his bid as required by the Laws of Florida.

Now, on this <u>28th day of September</u>, <u>2017</u>, in the County of Okeechobee, State of Florida, in consideration of the sum of FIVE THOUSAND AND 00 / 100 Dollars (\$ 5,000.00), being the amount paid pursuant to the Laws of Florida does hereby sell the following lands, including any hereditaments, buildings, fixtures and improvements of any kind and description, situated in the County and State aforesaid and described as follows:

UNPLATTED LANDS OF THE CITY BEGINNING 208.7 FEET WEST OF THE NE CORNER OF SW 1/4 OF SW 1/4 RUN WEST 50 FEET THEN RUN SOUTH 158.7 FEET THEN RUN EAST 50 FEET AND RUN NORTH 158.7 FEET TO THE POINT OF BEGINNING ALL BEING IN SECTION 21 TOWNSHIP 37 SOUTH RANGE 35 EAST OKEECHOBEE COUNTY FLORIDA

Sharon Robertson, Clerk of Circuit Court & Comptroller

FRANCES CONNER, Deputy Clerk

(Seal)

Witness:

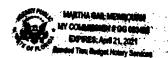
SANDRA L CREECH

LYNNSHAIN

STATE OF FLORIDA COUNTY OF OKEECHOBEE

On this 28th day of September, 2017, before me MARTHA GAIL MEWBOURN, personally appeared FRANCES CONNER, Deputy Clerk of the Circuit Court & Comptroller in and for the State and this County known to me to be the person described in, and who executed the foregoing instrument, and acknowledged the execution of this instrument to be his own free act and deed for the use and purposes therein mentioned.

Witness my hand and office seal date aforesaid.

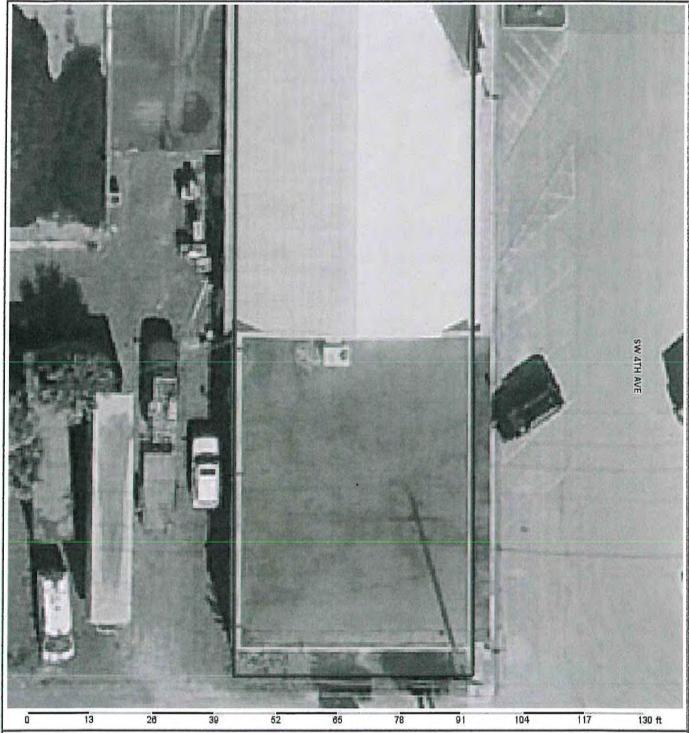


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Book796/Page847 CFN#2017009249

Page 1 of 1

Exhibit # VII – B
Case Number 191202004
Raulerson & Raulerson



### Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 3-15-37-35-0010-01660-0010 | STORES/1 S (001100) | 0.162 AC CITY OF OKEECHOBEE LOT 1 BLOCK 166

RAULERSON & RAULERSON LLC	

2164 SW 22ND CIR N OKEECHOBEE, FL 349740000 401 SW PARK ST, OKEECHOBEE

Site: 401 SW PARK ST Sales 6/20/2005 5/19/1998 Info 8/1/1992

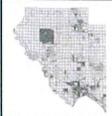
6/20/2005 \$300,000 I (Q 5/19/1998 \$150,000 I (Q 8/1/1992 \$125,000 I (U

### 2019 Certified Values

Mkt Lnd \$40,237 Appraised \$136,808 Ag Lnd \$0 Assessed \$136,808

Bldg \$96,105 Exempt \$0 XFOB \$466 county:\$136,808

Just \$136,808 Total city:\$136,808 Taxable other:\$136,808 school:\$136,808 NOTES:



Okeechobee County, FL

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GrizzlyLogic.com



### Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,

VS

Respondent,

Raulerson & Raulerson INC

Date

05/06/2020

CASE NO. 191202004

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43
- 2. Address and Parcel# where violation exists: 401 SW Park Street

3-15-37-35-0010-01660-0010

3. Name and address of property owner or person in charge of location where violation exists:

Raulerson & Raulerson INC - 2164 SW 22nd Circle

4. Description of Violation: Building Needs to be Pressure Cleaned

Area in the Rear of the Building Needs to be Mowed

- 5. Date violation must be corrected by May 15, 2020
- 6. Date violation first observed on or about:12/2/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 9th day June Zuzu at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

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De acuerdo con la sección 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelación sera archivada en el plazo de 30 días de la firma de la orden que se apelara.



### Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795/Fax 863-763-7804



### NOTICE OF VIOLATION

Raulerson & Rauler	191202004			
Address 2164 SW 22nd Circle N	Okeechobee	State	<sup>2ip</sup> 34974	
Address of Violation 401 SW Park Street	Okeechobee	State FL	34974	

Parcel#

3-15-37-35-0010-01660-0010

The undersigned Code Enforcement Officer based upon personal investigation determines that reasonable cause exists that on/ or about 11/22/2019 the above named person(s) violated provisions of Okeechobee City Ordinance 30-44 & 30-43

Code		Description	Code		Description
30-41		Inoperable/Abandoned Vehicle.	70-302		Unautorized use of Land and/or Building
30-44	1	Trash and debris.	70-251		Construction without Building Permit
90-568		Prohibited signs.	90-30		Setback violation or required yard encroachment.
30-33		Pool Violation	54-41		Obstruction of Right of Way
90-172		Unauthorized Occupancy of RV.	70-302		Unauthorized Number of Dwellings per lot or parce
90-573		Unauthorized Flag or Banner.	66-10		Fire and Life Safety Violation
30-44		Overgrown Weeds, Grass Bushes or Shrubs.	30-43	1	Public Nuisance
		Other	30-32		Littering
50-32		Operating Business without Required License	54-51		Commercial vehicles stored in residential zoned area
90-633		Business in Residential Zoning District	66-10		Condition which constitutes a safety hazard.

### Corrective Action Necessary:

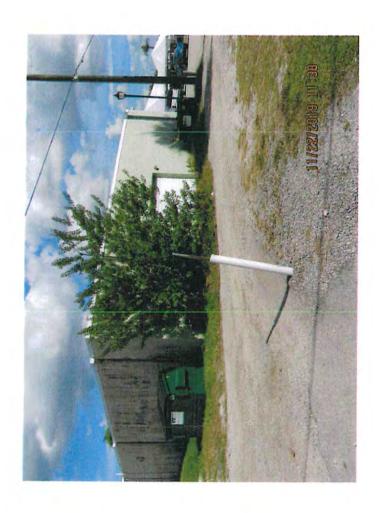
Please Clean up Building (Pressure Clean) See Picture Enclosed

Should you have any questions, please contact Code Enforcement at (863) 763-9795

Failure to correct the items described in the notice within 14 Days may result in a summons to appear before the Code Enforcement Special Magistrate and subject you to a fine up to \$250.00 per day, or may result in the issuance of a citation which will be heard in County Court. If Violation is Corrected you must notify Code Enforcement at the above listed phone number 863-763-9795.

Warning: This notice does not constitute a building permit or authorization to proceed with activities requiring a building permit or development order. If you are uncertain whether permits are required, contact code enforcement at the number below. Be sure to bring this notice with you or have it available when you call

Code Officer Fred Sterling



GERTIFIED MAII

S.E. 2nd Avenue • Okeanham start

S.E. 2nd Avenue • Okeechobee, Florida 3497,

12/03/2019 US POSTAGE

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Okeechobee, FL 34974

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CERTIFIED MAIL® RECEIPT U.S. Postal Service"

### Corporate Warranty Deed

This Indenture, made this 20th day of June A.D. 2005 . Between

Park Trading Company, Inc. , A FL Colf.

whose post office address is: 2472 NW 6th Street Okeechobee, Florida 34972

a corporation existing under the laws of the State of Florida , Grantor and Raulerson & Raulerson, LLC, a Florida limited liability company

whose post office address is: 12900 NW 144th Trail Okeechobee, Florida 34972

Grantees' Tax Id # :

Grantee.

Witnesseth, that the said Grantor, for and in consideration of the sum of ( Ten & NO/100 Dollars, to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee forever, the following described land, situate, lying and being in the County of

Okeechobee , State of Florida, to wit:

Lot 1, in Block 166 of OKEECHOBEE, a subdivision, according to
the Plat thereof as recored in Plat Book 5 at Page 5 of the
Public Records of Okeechobee County, Florida.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the state of Florida in that neither Grantor(s) nor any member of the household of Grantor(s) reside thereon.

Subject to covenants, restrictions and easements of record. Subject also to taxes for 2004 and subsequent years.

Parcel Identification Number: R 3-15-37-35-0010-01660-0010

And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said Grantor has caused this instrument to be executed in its name by its duly authorized officer and caused its corporate seal to be affixed the day and year first above written.

Company, Inc. , A FL Signed and Sealed in Our Presence: A. Brown President RICIA A RAGON

(Corporate Seal)

PATRICIA A. RAGON

FILE NUM 2005013812

OR BK 00567 PG 0864

SHARDN ROBERTSON, CLERK DF CIRCUIT COURT

OKEECHOBEE COUNTY, FL

RECORDED 06/22/2005 11:14:32 AH

RECORDING FEES 10.00

DEED DOC 2,100,00

RECORDED BY H Anuez

State of

County of

Florida Okeechobee

The foregoing instrument was acknowledged before me this 20th day of June

2005 by

Michael A. Brown, President Park Trading Company, Inc.

a corporation existing under the laws of the State of He/She is personally known to me or has produced

Florida driver's license

+CUT

, on behalf of the corporation. as identification

PREPARED BY: Michael Edwards, Esq RECORD & RETURN TO:

Notary Public Michael Edwards, P.A. No Print 1868 S.E. Port St. Lucie Boulevardmy Port St. Lucie, Florida 34952 File No: 05-034

nission Expires:
PATRICIA A. RAGON
PATRICIA A. RAGON MY COMMISSION # DD.037091 EXPIRES: June 29, 2005

CWD-1

Exhibit # VII – C
Case Number 19101006
Augustin Mendoza



### Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 2-21-37-35-0A00-00019-0000 | VACANT (000000) | 0.181 AC

UNPLATTED LANDS OF THE CITY BEGINNING 258.7 FEET WEST OF THE NORTHEAST CORNER OF THE SW 1/4 OF SW 1/4, AND RUN WEST 50 FEET; THENCE SOUTH 158.7 FEET;

	MENDOZA AGU	STIN ANT	UNEZ	2019	reliminar	y Certified	Values
Owner	HERNANDEZ MEL			Mkt Lnd	\$5,922	Appraised	\$5,922
	PO BOX 1624			Ag Lnd	\$0	Assessed	\$5,922
1000	LABELLE, FL 3397			Bldg	\$0	Exempt	\$0
Site:	1011 SW 11TH ST,	OKEECHO	BEE	XFOB	\$0	777	county:\$5,922
Sales Info	3/19/2019 4/10/2018 9/28/2017	\$6,500 \$5,500 \$8,700	V (Q) V (U) V (U)	Just	\$5,922	Total Taxable	city:\$5,922 other:\$5,922 school:\$5,922



Okeechobee County, FL

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GrizzlyLogic.com

Mailed SOV+NOH 3-19-2020

2 + 4 SECURE Bldg.

NOTES:



### Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA. 863-763-9795 Phone 863-763-7804 FAX

Petitioner,

VS

Respondent,

Augustin Mendoza

Date

03/18/2020

CASE NO. 19101006

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43 and Section 30-44
- 2. Address and Parcel# where violation exists: 1011 SW 11th Street

2-21-37-35-0A00-00019-0000

3. Name and address of property owner or person in charge of location where violation exists;

Agustin Mendoza - PO Box 1624, Labelle, Florida 339751624

- 4. Description of Violation: Mow and Building Needs to be Secured
- 5. Date violation must be corrected by Apr 1, 2020
- 6. Date violation first observed on or about: 10/10/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 14th day APIII ZUZU at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.

Sec. 30-44. - General cleaning and beautification.

- (a) In the interpretation of this section, the city has determined that all lands in the city fall into the following categories, and this Code will be enforced in this section to conform to these categories:
  - (1) Unplatted and undeveloped lands are considered to be raw land or unimproved land.
  - (2) Platted and undeveloped lands are considered to be raw land or unimproved land.
  - (3) Platted and developed lands are considered to be developed or improved land.
  - (4) Unplatted and partially developed lands are considered as developed and improved land only for that portion of the whole parcel that includes actual developed land.
- (b) All owners of improved property shall cut and keep cut all weeds, grasses or undergrowth on the entire property, to a height not to exceed eight inches. Also, all landscaping shall be trimmed and kept in a neat appearance so as not to adversely affect the aesthetic appearance of the property and adjacent properties.
- (c) When determined by the code enforcement officer of the city that a public nuisance exists, owners of all unimproved property shall cut and keep all weeds, grasses and undergrowth to a height not to exceed 12 inches, in a strip 100 feet wide around the perimeter of such property, which fronts on a public street, drainage or utility easement or is contiguous to occupied property. Also, the owner shall remove any abandoned property, garbage, litter, stagnant water, untended vegetation or noxious matter on the entire property.
- (d) All owners are deemed to be in control of and responsible for areas on or adjoining their property such as easements.
- (e) All lands in the city shall be kept free of untended vegetation or any other matter, which by reason of height, proximity to neighboring structures, physical conditions; disease such as, but not limited to: lethal yellowing palms or other peculiar characteristics which might in time of high winds, prevalent in this region, cause damage to life or property within the immediate area surrounding such region.
- (f) It shall be unlawful for any person to cause, maintain, permit or allow to be caused, maintained or permitted, the accumulation of any litter, garbage, abandoned property, stagnant water, untended vegetation or weeds on any construction or building site before, during or after completion of such construction or building. It shall be the duty of the owner or his agent to make adequate provisions for the disposal of such items and to have, on the construction or building site, adequate facilities for the disposal of such items and to make appropriate arrangements for the collection thereof.
- (g) It shall be the responsibility of all owners of improved property to maintain proper ground cover on their property (such ground cover including, but not limited to, grasses, concrete, asphalt, decorative stones) and driveways (driveway ground cover including, but not limited to, concrete, asphalt, decorative stones, in-laid brick, tile and shell rock) to prevent a condition that could endanger the health, safety and welfare of any member of the community; maintained as required in this section. Furthermore, appropriate landscaping shall be installed, replaced and maintained, in living condition, so as not to adversely affect the aesthetic appearance of the property and adjacent properties.
- (h) No persons shall sweep into or deposit in any gutter, ditch, street or other public place within the city the accumulation of litter from any building or lot or from the public sidewalks. Nor shall any owner or tenant abutting a public thoroughfare allow or suffer to remain litter upon the adjacent public sidewalk, including medians, so that litter, rubbish and refuse shall not be allowed to pile up or accumulate on such public right-of-way.
- (i) No merchant or business within the city shall allow litter to accumulate, and shall clean and otherwise rid his premises, including sidewalks, of waste matter and litter although the same may not have been deposited by him, his agents or his patrons.

(Code 1982, § 8-11(a)—(f), (j), (k); Ord. No. 797, § 2, 7-2-2002)

Sec. 30-44. - General cleaning and beautification.

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  - (2) Platted and undeveloped lands are considered to be raw land or unimproved land.
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- (d) All owners are deemed to be in control of and responsible for areas on or adjoining their property such as easements.
- (e) All lands in the city shall be kept free of untended vegetation or any other matter, which by reason of height, proximity to neighboring structures, physical conditions; disease such as, but not limited to: lethal yellowing palms or other peculiar characteristics which might in time of high winds, prevalent in this region, cause damage to life or property within the immediate area surrounding such region.
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- (i) No merchant or business within the city shall allow litter to accumulate, and shall clean and otherwise rid his premises, including sidewalks, of waste matter and litter although the same may not have been deposited by him, his agents or his patrons.

### 304.18 Building security.

Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

### 304.18.1 Doors.

Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

### 304.18.2 Windows.

Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a window sash locking device.

### 304.18.3 Basement hatchways.

Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

### 304.19 Gates.

All exterior <u>Exterior</u> gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

### **SECTION 305**

### INTERIOR STRUCTURE

### 305.1 General.

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.

### 305.1.1 Unsafe conditions.

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

- 1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
- 2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;







CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

<b>T</b>	• . •	
PAt	itioner	
1 01	itioner,	

VS

Respondent,

Date

03/18/2020

CASE NO. 19101006

Augustin Mendoza

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43 and Section 30-44
- 2. Address and Parcel# where violation exists: 1011 SW 11th Street

2-21-37-35-0A00-00019-0000

3. Name and address of property owner or person in charge of location where violation exists:

Agustin Mendoza - PO Box 1624, Labelle, Florida 339751624

- 4. Description of Violation: Mow and Building Needs to be Secured
- 5. Date violation must be corrected by Apr 1, 2020
- 6. Date violation first observed on or about: 10/10/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 14th day APIII ZUZU at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

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In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.

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Augustin Mendoza PO Box 1624

Labelle, Florida 339751624

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Okeechobee Police Depar

FILE NUM 2019003845
OR BK 822 PG 1858
SHARON RUBERTSON, CLERK & COMPTROLLER
OKEECHOBEE COUNTY, FLORIDA
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ANT \$6,500.00
RECORDED TO \$45.50
DEED DOC \$45.50
RECORDED BY M Pinon
Ps 1858; (1 ps)

THIS INSTRUMENT PREPARED BY AND RETURN TO: John R. Cook 425 SW Park Street Okcechobee, FL 34974

Property Appraisers Parcel Identification (Folio) Number: 2-21-37-35-0A00-00019-0000

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 19th day of March, 2019 by Juan F. Martinez and Ami Alaniz, his wife, whose post office address is 1011 SW 11th Street, Okeechobee, FL 34974 herein called the grantors, to Agustin Antunez Mendoza and Melinda Hernandez, his wife whose post office address is P. O. Box 1624, Labelle, FL 33975, hereinafter called the Grantees:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantors, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in OKEECHOBEE County, State of Florids, viz.:

Unplatted lands of the City of Okeechobee; Beginning 258.70 feet West of the Northeast Corner of the Southwest Quarter of the Southwest Quarter; run West 50 feet; thence South 158.7 feet; thence East 50 feet; thence north 158.7 feet to the point of beginning. All being in Section 21, Township 37 South Range 35 East, Okeechobee County, Florida

Subject to easements, restrictions and reservations of record and taxes for the year 2019 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the grantors hereby covenant with said grantees that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2018.

IN WITNESS WHEREOF, the said grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Wieness #1 Signature

Witness #1 Printed Name

Carl 1

Witness #2 Printed Name

Juan F. Martinez

Ami Alaniz

STATE OF FLORIDA COUNTY OF OKEECHOBEE

The foregoing instrument was acknowledged before me this 19th day of March, 2019 by Juan F. Martinez and Ami Alaniz who are personally known to me or have produced as identification.

SEAL

JOHN E BURDESHAW
Commission # GG 100759
Expires September 25, 2021

Notary Public

Printed Notary Name

My Commission Expires:

File No.: 19-1050

Book822/Page1858 CFN#2019003845

Page 1 of 1

Exhibit # VII – D

Case Number 190927004

Omar Abuaita





CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,

VS

Respondent,

Omar Abuaita

Date

05/05/2020

CASE NO. 190927004

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43
- 2. Address and Parcel# where violation exists: 300 BLK NW 9th Street

3-15-37-35-0010-00390-0170

- 3. Name and address of property owner or person in charge of location where violation exists: Omar Abuaita - 2800 N Ocean Drive Unit A23D, Riviera beach, FI 334043232
- 4. Description of Violation: Public Nuisance / Fence Must Be Repaired
- 5. Date violation must be corrected by May 15, 2020
- Date violation first observed on or about 9/27/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 9th day June 2020 at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

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U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only 2567 www.usps.com<sup>®</sup> 8123 SOV+ NOH Extra Services & Fees (check box,

Return Receipt (hardcopy) 190927004 Postmark 0000 Return Receipt (electronic Certified Mail Restricted Dell Adult Signature Required

Adult Signature Restricted De Here 7019 1120 334043233 PS Form 3811, July 2015 PSN 7530-02-000-9053 2. Article Number (Transfer from service label) SENDER: COMPLETE THIS SECTION Print your name and address on the reverse ■ Complete items 1, 2, and 3. or on the front if space permits. Attach this card to the back of the mailpiece, so that we can return the card to you. E2T8 0000 02TT 6TO2 9590 9402 5012 9063 8060 15 4 14 2800 N Ocean Drive Unit A23D -Riviera Beach, FL 334043232 Omar Abuaita 297 3. Service Type

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Adult Signature Restricted Delivery

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Collect on Delivery Restricted Delivery A. Signature COMPLETE THIS SECTION ON DELIVERY × Received by (Printed Name) Mail Restricted Delivery 200) r delivery address below: dress different from item 17 Yes ☐ Priority Mail Express®
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CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

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VS

Respondent,

Omar Abuaita

Date

01/08/2020

CASE NO. 190927004

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

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3-15-37-35-0010-00390-0170

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- 4. Description of Violation: Ch 30 Sec 30-43 Public Nuisance

### Fence Must be Reapaired

- 5. Date violation must be corrected by Feb 7, 2020
- 6. Date violation first observed on or about 9/27/19

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Domestic Return Receip	3. Service Type    Adult Signature   Restricted Delivery   Registered Mail Restricted Delivery   Registered Mail Restricted Delivery   Return Receipt for Merchandise   Signature Confirmation   Signature Confirmation   Signature Confirmation   Restricted Delivery   Restricted Delivery	address different from item 1? ☐ Yes ar delivery address below: ☐ No	A. Signature  X  B. Received by Frinted Name)  C. Date of Deliver



### Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 3-15-37-35-0010-00390-0170 | RIVERS AND (009500) | 1.63 AC

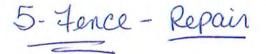
CITY OF OKEECHOBEE (PLAT BOOK 1 PAGE 10 & PLAT BOOK 5 PAGE 5) LOTS 17 TO 26 INC BLOCK 39

ABUAITA OMAR			2019 Preliminary Certified Values			alues	
Owner	2800 N OCEAN	DR UNIT	23D	Mkt Lnd	\$815	Appraised	\$3,321
10177	RIVIERA BEAC	H, FL 3340	43232	Ag Lnd	\$0	Assessed	\$3,321
Site:	NW 9TH ST, OF	KEECHOBE	E	Bldg	\$0	Exempt	\$0
Sales Info	9/13/2019 3/9/2009	\$12,000 \$100	I (Q) I (U)	XFOB Just	\$2,506 \$3,321	Total Taxable	county:\$3,321 city:\$3,321 other:\$3,321 school:\$3,321

Okeechobee County, FL

This information,, was derived from data which was compiled by the Okeechobee County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.

GrizziyLogic.com



NOTES:

# Exhibit # VII – E Case Number 20031003 Ma C Cervantes & Laura Herlinda



## Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

NOTES:

PARCEL: 3-15-37-35-0010-01780-0060 HX H3 | SINGLE FAM (000100) | 0.325 AC CITY OF OKEECHOBEE (PLAT BOOK 1 PAGE 10 AND RE-RECORDED IN PLAT BOOK 5 PAGE 5) LOTS 6 & 7 BLOCK

Owner: 209 SW 7TH AVE OKEECHOBEE, FL 34974 2019 Certified Values Mkt Lnd \$14,700 Appraised \$59,834 Ag Lnd \$0 Assessed \$59,834 Site: 209 SW 7TH AVE, OKEECHOBEE Bldg \$42,036 Exempt \$34,834 4/22/2015 county:\$25,000 Sales XFOB \$3,098 Total city:\$25,000 Info Just \$59,834 2/23/2009 Taxable other:\$25,000 school:\$34,834

Okeechobee County, FL

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GrizzlyLogic.com

3- Debris





CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Ma C Cervantes & Lara Herlinda

Petitioner,

VS

Respondent,

Date

05/07/2020

CASE NO. 200310003

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43
- 2. Address and Parcel# where violation exists:209 SW 7th Ave

3-15-35-0010-01780-0060

- 3. Name and address of property owner or person in charge of location where violation exists: Ma C Cervantes & Lara Herlinda 209 SW 7th Ave, Okeechobee, Florida 34974
- 4. Description of Violation: Debris in the Yard and Yard Needs to be Mowed

### See Attached Photos

- Date violation must be corrected by May 22, 2020
- Date violation first observed on or about 3/10/20

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 9th day JUNE ZUZU at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la sección 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.

# NOTICE TO APPEAR

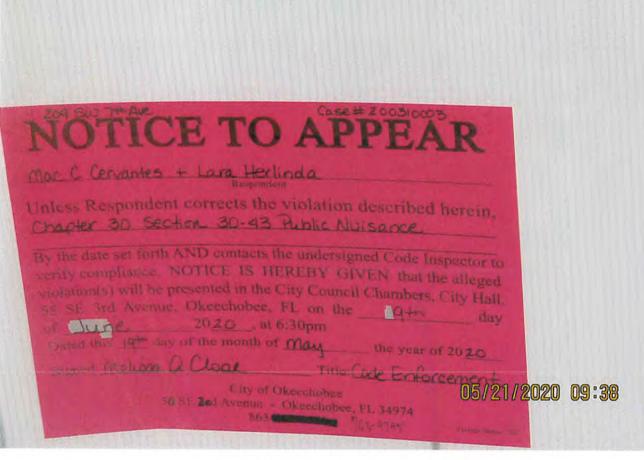
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Respondent

Unless Respondent corrects the violation described herein, Chapter 30 Section 30-43 Hublic Nuisance

Dated this 19th day of the month of May of June 2020, at 6:30pm 55 SE 3rd Avenue, Okeechobee, FL on the violation(s) will be presented in the City Council Chambers, City Hall, verify compliance. NOTICE IS HEREBY GIVEN that the alleged By the date set forth AND contacts the undersigned Code Inspector to Signed: Melian a Cloque Title: Ode Enforcement the year of 2020 24

50 SE 2nd Avenue - Okeechobee, FL 34974 City of Okeechobee 863-467-1586 1/2-9798









# 200310003 CERVANTES





# 200310003 CERVANTES







CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,

VS

Respondent,

Date

03/10/2020

CASE NO. 200310003

Ma C Cervantes & Lara Herlinda

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43
- 2. Address and Parcel# where violation exists: 209 SW 7th Ave
  - 3-15-7-35-0010-01780-0060
- 3. Name and address of property owner or person in charge of location where violation exists: Ma C Cervantes & Lara Herlinda 209 SW 7th Ave, Okeechobee, Florida 34974
- 4. Description of Violation: Debris in Yard See Picture Attached
- 5. Date violation must be corrected by Apr 1, 2020
- Date violation first observed on or about 3/9/20

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 9th day April ZUZU at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any mafter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la sección 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelacion sera archivada en el plazo de 30 días de la firma de la orden que se apelara.

U.S. Postal Service" CERTIFIED MAIL® RECEIPT 2076 Domestic Mail Only delivery information, visit our website at www.usps.com 8123 SoV/NO H 200310 003 Postmark Here Certified Mail Fee Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy)

\$ 0000 Return Receipt (electronic) Certified Mali Restricted Delivery Adult Signature Required Adult Signature Restricted Delivery S 1120 Total Postage and Fees 7019 Cevantes+ Caratterlinda the chober, 34974 See Reverse for Instructions Okeechobee Police Depar 50 S.E. 2nd Avenue • Okeechobee, Florida 3497. 3/3 349747446 Mac Okeechobe XIE 2018 TYSO 0000 Cervantes & Laha Helinda UN C 209 SW 7th Ave 8 hallpdggmatallflhallgggallallgd EZTB UNCLAIMED UNABLE TO FORWAR 日日日 2076

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CERTIFIED MAI

NEO 03/11 US

Exhibit # VII – F
Case Number 190904005
Manuela Pineda



# Okeechobee County Property Appraiser

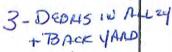
Mickey L. Bandi, CFA - Okeechobee, Florida - 863-763-4422

### PARCEL: 3-21-37-35-0170-00150-0110 HX H3 - SINGLE FAM (000100)

SOUTHWEST ADDITION THE SOUTH 50.5 FEET OF LOT 11 AND THE WEST 33 FEET OF THE SOUTH 50.5 FEET OF LOT 12, IN BLOCK 15, SOUTHWEST ADDITION TO OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 7, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA. ALSO: COMMENCING AT THE SOUTHWEST CORNER OF LOT 11, BLOCK 15, SOUTHWEST ADDITION TO OKEECHOBEE, RUN SOUTH A DISTANCE OF 70 FEET TO THE NORTHWEST CORNER OF LOT 10, BLOCK 18, THENCE RUN EAST ALONG THE NORTH BOUNDARY LINE OF SAID BLOCK 18, A DISTANCE OF 83 FEET; THENCE RUN NORTH A DISTANCE OF 70 FEET TO A POINT BEING 83 FEET EAST OF THE SOUTHWEST CORNER OF LOT 11, BLOCK 15; THENCE RUN WEST ALONG THE SOUTH BOUNDARY LINE OF SAID BLOCK 15, A DISTANCE OF 83 FEET TO THE POINT OF BEGINNING, BEING A PART OF FIRST STREET ACCORDING TO THE PLAT OF SOUTHWEST ADDITION TO OKEECHOBEE RECORDED IN PLAT BOOK 2, PAGE 7, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.

		1 1 10 00 1 1100 1 11	
Name: PIN	EDA MANUELA SERRANA	LandVal	\$7,177.00
Site: 112	4 SW 8TH ST, OKEECHOBEE	BldgVal	\$79,709.00
Mail: 112	4 SW 8TH STREET	ApprVal	\$88,149.00
Wall. OK	ECHOBEE, FL 349744087	JustVal	\$88,149.00
Sales		Assd	\$64,589.00
Info	Exmpt	\$39,589.00	
	Tavable	\$25,000,00	

75 ft





This information, updated: 8/8/2019, was derived from data which was compiled by the Okeechobee County Property Appraiser's Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the





CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,

VS

Respondent,

Manuela Pineda

Date

05/06/2020

CASE NO. 190904005

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43 & Section 30-44
- 2. Address and Parcel# where violation exists: 1124 SW 8th Street

3-21-37-35-0170-00150-0110

- 3. Name and address of property owner or person in charge of location where violation exists: Manuela Pineda - 1124 SW 8th Street
- 4. Description of Violation: General Cleaning and Beautification & Public Nuisance

Please Clean-Up Debris in the Back Yard & Put a Privacy Fence Over the Gates

- Date violation must be corrected by May 15, 2020
- Date violation first observed on or about 9/4/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 9th day June 2020 at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence,

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any mafter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

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863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,	

VS

Respondent.

Date

02/27/2020

CASE NO. 190904005

Manuela Pineda

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43 and Section 30-44
- 2. Address and Parcel# where violation exists:1124 SW 8th Street

3-21-37-35-0170-00150-0110

- 3. Name and address of property owner or person in charge of location where violation exists: Manuela Pineda - 1124 SW 8th Street, Okeechobee, Florida 34974
- 4. Description of Violation: General Cleaning and Beautification & Public Nuisance

Please Can-Up Debris in Back Yard & Please Put a Privacy Fence Over Gates

- 5. Date violation must be corrected by Apr 6, 2020
- 6. Date violation first observed on or about 9/4/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 14th at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

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U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only 202 m Certified Mail Fee 815 SOV+NOH 190904005 Postmark Here Extra Services & Fees (che 0000 Return Receipt (electronic) Cortified Mall Restricted Deli Adult Signature Required Adult Signature Restricted Delivery 1,120 Total Postage and Fees 2-28-2020 7019 PS Form 3811, July 2015 PSN 7530-02-000-9053 2. Article Number (Transfer from service label) SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Attach this card to the back of the mailpiece, Print your name and address on the reverse so that we can return the card to you. or on the front if space permits. 0000 OZTT 6TO2 9590 9402 5012 9063 7953 26 Okeechobee, Florida 34974 1124 SW 8th Street Mauela Pineda 8753 미 152 3. Service Type

Adult Signature

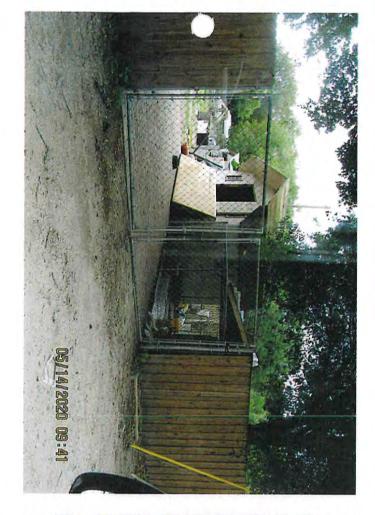
Adult Signature

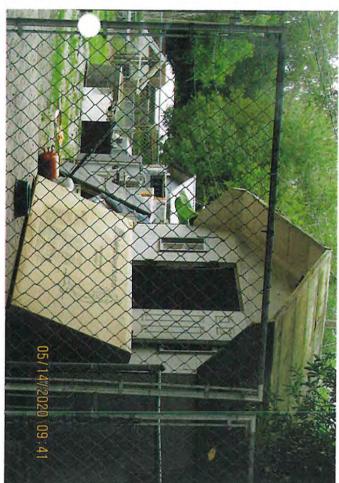
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Certified Mail Restricted Delivery

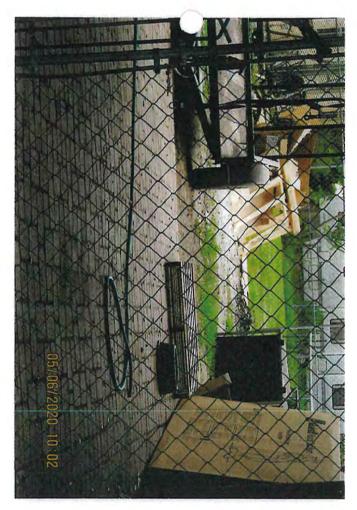
Collect on Delivery

Collect on Delivery Restricted Delivery B. Received by (Printed Name) COMPLETE THIS SECTION ON DELIVERY A. Signature Mail Restricted Delivery ddress different from item 1? r delivery address below: 3-12-2020 ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted
Delivery Domestic Return Receipt ☐ Return Receipt for Merchandise ☐ Signature Confirmation
☐ Signature Confirmation
Restricted Delivery Addressee C. Date of Delivery □ Yes ☐ Agent



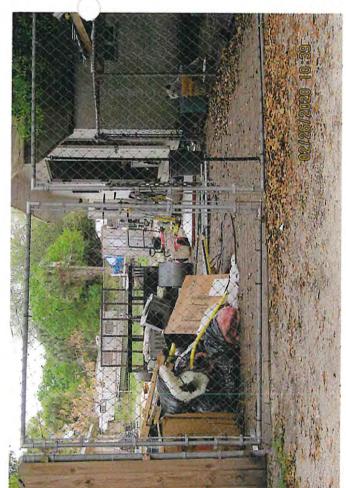


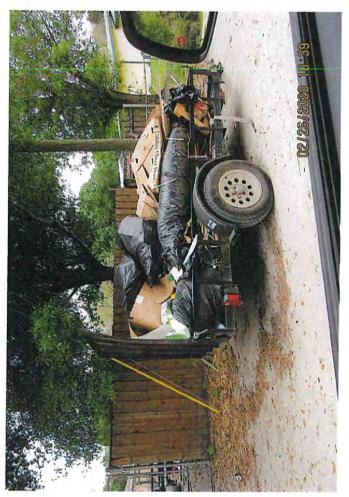


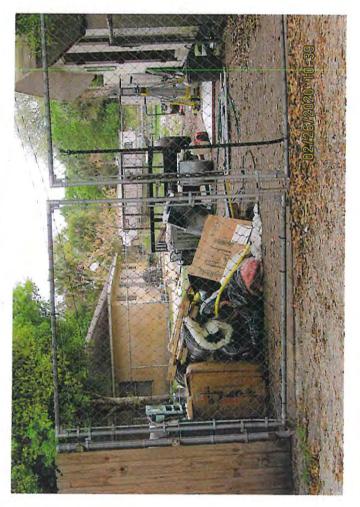


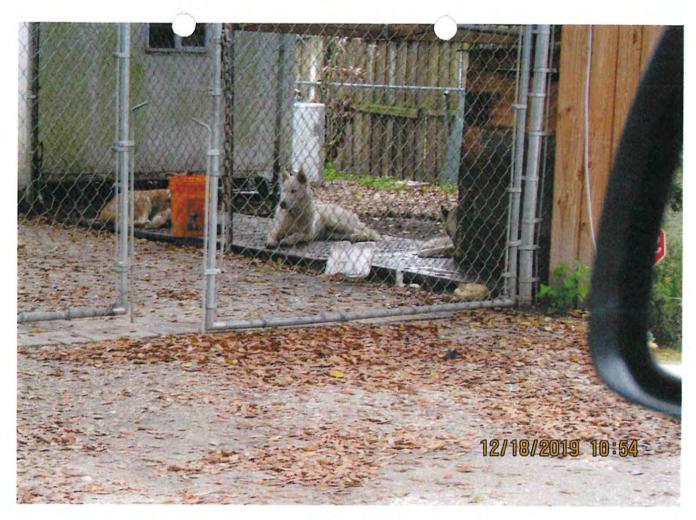


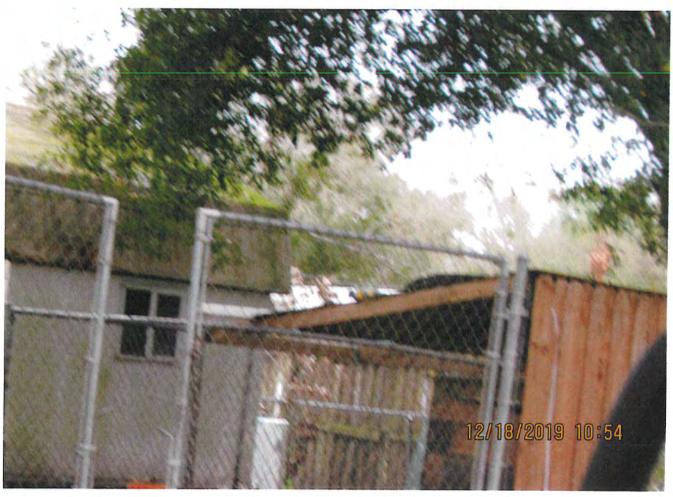










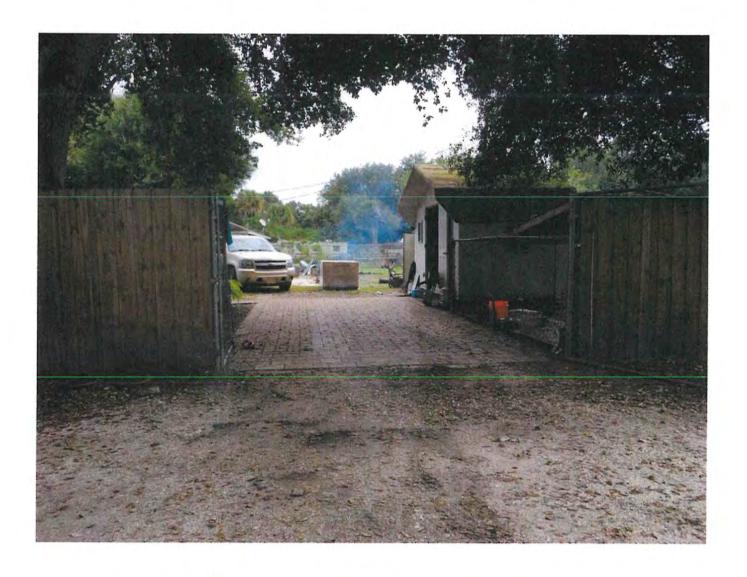


### Pics10102019

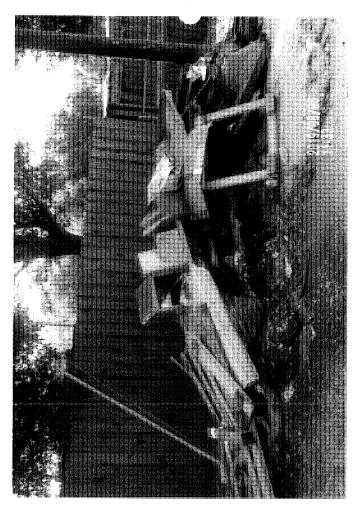
code enforcement <codeenforcement7208@gmail.com>

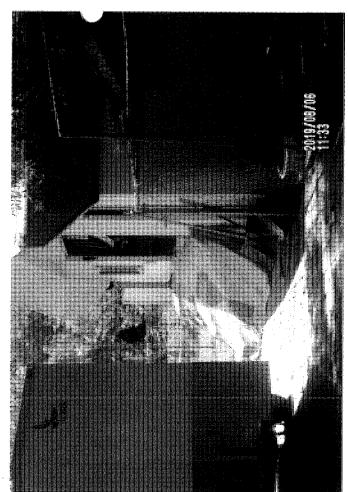
Fri 10/11/2019 11:06 AM

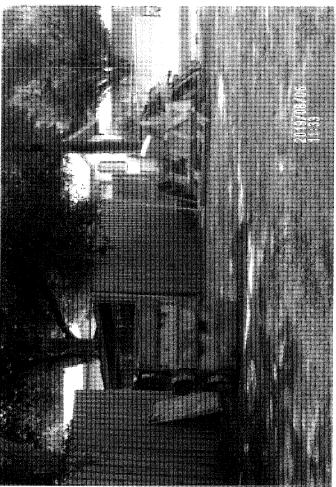
To: Fred Sterling <fsterling@cityofokeechobee.com>



Sent from my iPhone







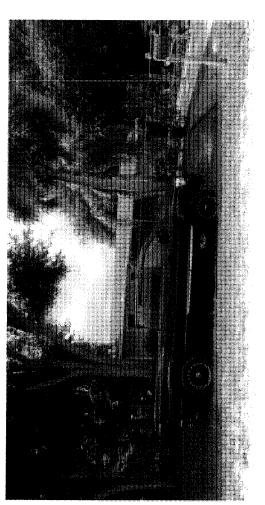




Exhibit # VII – G
Case Number 191115015
Blue Springs Holdings LLC

191115015



## Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 2-15-37-35-0A00-00003-0000 | NON AG ACR (009900) | 51.19 AC

UNPLATTED LANDS OF THE CITY THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 SOUTH OF THE SAL RAILROAD R

2.55.5		NGS HOLDINGS	LLC		2019 Cer	tified Values	
Owner	10860 SW 25 DAVIE, FL 33			Mkt Lnd	\$196,508	Appraised	\$196,508
Site:		OKEECHOBEE		Ag Lnd	\$0	Assessed	\$196,508
2.828	10/28/2019	\$100	V (U)	Bldg	\$0	Exempt	\$0
Sales	10/28/2019	\$400,000	V (U)	XFOB	\$0		county:\$196,508
Irilo	5/25/2016	\$100	I (U)	Just	\$196,508	Total Taxable	city:\$196,508 other:\$196,508 school:\$196,508

Okeechobee County, FL

This information,, was derived from data which was compiled by the Okeechobee County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.

GrizzlyLogic.com GrizzlyLogic.com



# Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,

VS

Respondent,

Date

05/06/2020

CASE NO. 191115015

# Blue Springs Holdings LLC

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43 & Section 30-44
- 2. Address and Parcel# where violation exists: NE 9th Ave
  - 2-15-37-35-0A00-0003-0000
- 3. Name and address of property owner or person in charge of location where violation exists: Blue Springs Holdings LLC - 10860 SW 25th Street, Davie, Florida 333245606
- 4. Description of Violation: Piles of Vegetation Ned to be Removed or Burned
- Date violation must be corrected by May 22, 2020
- Date violation first observed on or about: 11/15/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 9th day JUNE ZUZU at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

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7018 0680 0002 **3164** 1117 ☐ Return Receipt (electronic)
☐ Certified Mail Restricted Delivery
☐ Adult Signature Required Total Postage and Fees July July Adult Signature Restricted Delivery \$ ☐ Return Receipt (hardcopy) For delivery information, visit our website at www.usps.com ira Services & Fees (check box, add fee as appropris CERTIFIED MAIL® RECEIPT Domestic Mail Only U.S. Postal Service" Sm St BONSHOW See Reverse for Instructions SOH + NOV 191115015 Postmark Here PS Form 3811, July 2015 PSN 7530-02-000-9053 2. Article Number (Transfer from service label) Attach this card to the back of the mailpiece, SENDER: COMPLETE THIS SECTION Print your name and address on the reverse Complete items 1, 2, and 3. or on the front if space permits. so that we can return the card to you. 9590 9402 5012 9063 8059 71 1. Davie, Florida 333245606 10860 SW 25th Street Springs Holdings LLC 3. Service Type

Cadult Signature

Cadult Signature

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Hestricted Delivery

(All Restricted Delivery

(All R × A. Signature COMPLETE THIS SECTION ON DELIVERY B. Received by (Printed Name) 000 Idress different from item 1? delivery address below: ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted
Delivery Domestic Return Receipt C. Date of Delivery □ Yes H ZOZO ☐ Addressee

#### Burn ban

## Herb Smith <hsmith@cityofokeechobee.com>

Tue 4/28/2020 12:25 PM

To: Chuck Akers <eventmanagersllc@gmail.com>; City-Donald Hagan <opddonaldhagan@yahoo.com>; Dowling Watford <dowlingwatford@okeechobeeford.com>; Bobbie Jenkins <bjenkins@cityofokeechobee.com>; David Allen <dallen@cityofokeechobee.com>; Fred Sterling <fsterling@cityofokeechobee.com>; Jeff Newell <jnewell@cityofokeechobee.com>; Justin Bernst <jbernst@cityofokeechobee.com>; Kim Barnes <kbarnes@cityofokeechobee.com>; Patty Burnette <pburnette@cityofokeechobee.com>; Sue Christopher <schristopher@cityofokeechobee.com>; Gail Neu <gneu@cityofokeechobee.com>; Glenn Hodges <ghodges@cityofokeechobee.com>; India Riedel <iriedel@cityofokeechobee.com>; Marcos Montes De Oca <mmontesdeoca@cityofokeechobee.com>; Robin Brock <rbrock@cityofokeechobee.com>; Steve Weeks <sweeks@cityofokeechobee.com>; Lane Gamiotea <lgamiotea@cityofokeechobee.com>

# FYI, burn ban has been lifted in Okeechobee county and city. thanks, Herby

H. Smith Fire Chief/Marshal City of Okeechobee Fire Department 863-467-1586

5-5-2020
This least 19053
Spoke w/Gad he gave me Phil Bohan's
Numbers. He stated he was going to
Start Burn Piles mext week or two.

Gad- 954-754-4140

BB Site developmentinc@gmail.com



## Okeechobee City Code Enforces...at 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795/Fax 863-763-7804



# NOTICE OF VIOLATION

Name			Casell
Blue Springs Holdin	gs LLC		191115015
Address	City	State	Zip
10860 SW 25th Street	Davie	FI	333245606
Address of Violation	City	State	Zip
NE 9th Ave	Okeechobee	FI	34972

Parcel#

2-15-37-35-0A00-0000 3-0000

The undersigned Code Enforcement Officer based upon personal investigation determines that reasonable cause exists that only or about 11/01/2019 the above named person(s) violated provisions of Okeechobee City Ordinance 30-44 & 30-43

Code		Description	Code		Description
30-41		Inoperable/Abandoned Vehicle.	70-302		Unautorized use of Land and/or Building
30-44		Trash and debris.	70-251		Construction without Building Permit
90-568		Prohibited signs.	90-30		Setback violation or required yard encroachment.
30-33		Pool Violation	54-41		Obstruction of Right of Way
90-172		Unauthorized Occupancy of RV.	70-302		Unauthorized Number of Dwellings per lot or parcel
90-573		Unauthorized Flag or Banner.	66-10		Fire and Life Safety Violation
30-44	$\checkmark$	Overgrown Weeds, Grass Bushes or Shrubs.	30-43	<b>V</b>	Public Nuisance
		Other	30-32		Littering
50-32		Operating Business without Required License	54-51		Commercial vehicles stored in residential zoned area
90-633		Business in Residential Zoning District	66-10		Condition which constitutes a safety hazard.
70-273 Viol	atio	ns in Mobile Home Parks			

# Corrective Action Necessary:

Pleas mow property to bring into Compliance Old Case # 190917010

## Should you have any questions, please contact Code Enforcement at (863) 763-9795

Failure to correct the items described in the notice within 14 Days may result in a summons to appear before the Code Enforcement Special Magistrate and subject you to a fine up to \$250.00 per day, or may result in the issuance of a citation which will be heard in County Court. If Violation is Corrected you must notify Code Enforcement at the above listed phone number 863-763-9795.

Warning: This notice does not constitute a building permit or authorization to proceed with activities requiring a building permit or development order. If you are uncertain whether permits are required, contact code enforcement at the number below. Be sure to bring this notice with you or have it available when you call.

Gode Officer Fred Sterling

mailed NOV 11/18/19

11-11 tdevelonment incoginais, com Contractor to do bulen.



# Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 2-15-37-35-0A00-00003-0000 | NON AG ACR (009900) | 51.19 AC
UNPLATTED LANDS OF THE CITY THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND NORTH 1/2 OF THE NORTHWEST 1/4 OF
THE SOUTHEAST 1/4 SOUTH OF THE SAL RAILROAD R

100	BLUE SPRINGS		LLC		2019 Cer	tified Values	
Owner	r: 10860 SW 25TH S DAVIE, FL 3332456			Mkt Lnd	\$196,508	Appraised	\$196,508
Site:	NE 9TH AVE, OKE			Ag Lnd	\$0	Assessed	\$196,508
100000	10/28/2019	\$100	V (U)	Bldg	\$0	Exempt	\$0
Sales	10/28/2019	\$400,000	V (U)	XFOB	\$0		county:\$196,508
inio	5/25/2016	\$100	I (U)	Just	\$196,508	Total Taxable	city:\$196,508 other:\$196,508 school:\$196,508



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GrizzlyLogic.com

Gad Pig Regger / Steve Dobbs - 824-7644

Exhibit # VII – H

Case Number 200505009

Morgan and Family Holdings II LLC



# Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,

VS

Respondent,

Morgan Family Holdings II LLC

Date

05/05/2020

CASE NO. 200505009

#### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43 and Sec 30-44
- 2. Address and Parcel# where violation exists:SW Park Street

2-21-37-35-0A00-00001-0000

- 3. Name and address of property owner or person in charge of location where violation exists:
- Morgan Family Holdings II LLC 1129 SW 39th Lane
- 4. Description of Violation: Please Remove the Kitchen Debris and the Pile of Concrete

See Photos Attached

- 5. Date violation must be corrected by May 22, 2020
- Date violation first observed on or about 5/5/20

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 9th day APIII 2U2U at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence

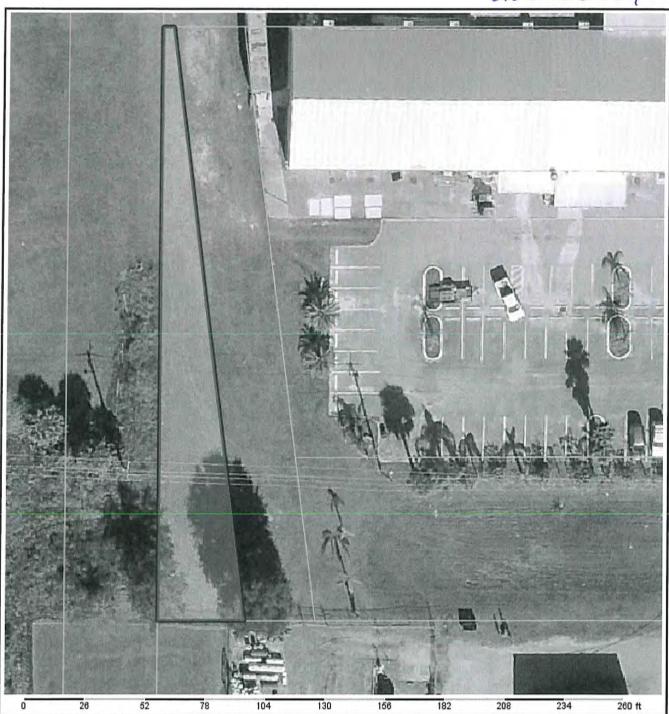
Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.

200505009



## Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 2-21-37-35-0A00-00001-0000 | VACANT COM (001000) | 0.12 AC

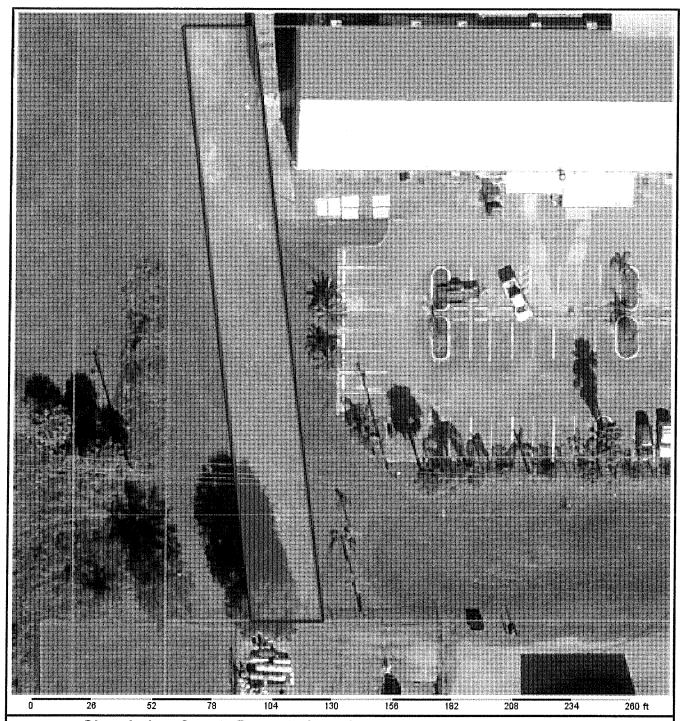
UNPLATTED LANDS OF THE CITY A PARCEL OF LAND LYING IN SECTION 21, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA, SAID PARCEL BEING MORE

	<b>MORGAN FAMIL</b>	Y HOLDINGS	II LLC		2019 Cer	tified Values	
Owne	r: 1129 SW 39TH LN	240746042		Mkt Lnd	\$8,626	Appraised	\$8,626
Site:	OKEECHOBEE, FL SW PARK ST, OKE			Ag Lnd	\$0	Assessed	\$8,626
7177	A10010010	\$100	V (U)	Bldg	\$0	Exempt	\$0
Sales	8/8/2018	\$100	V (U)	XFOB	\$0		county:\$8,626
Info	3/29/2017	\$125,000	V (Q)	Just	\$8,626	Total Taxable	city:\$8,626 other:\$8,626 school:\$8,626



This information,, was derived from data which was compiled by the Okeechobee County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.

GrizzlyLogic.com



## Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 2-21-37-35-0A00-00001-C000 | VACANT COM (001000) | 0.167 AC

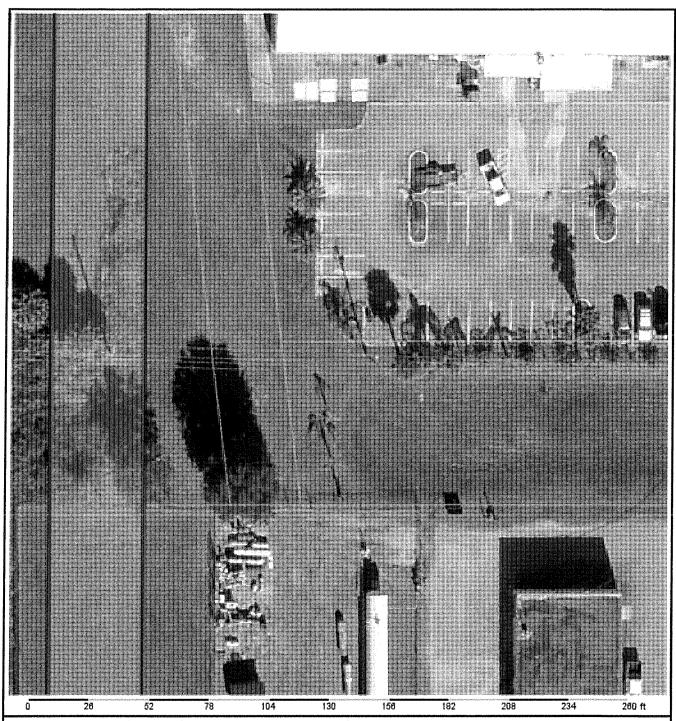
UNPLATTED LANDS OF THE CITY A PARCEL OF LAND LYING IN SECTION 21, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA, SAID PARCEL BEING MORE

	MORGAN FAMILY HOLDI	INGS	S II LLC		2019 Cer	tified Values	
Owner	r: 1129 SW 39TH LN	_		Mkt Lnd	\$12,003	Appraised	\$12,003
Site:	OKEECHOBEE, FL 34974604 204 SW 7TH ST, OKEECHOB			Ag Lnd	\$0	Assessed	\$12,003
	•	100	V (U)	Bldg	\$0	Exempt	\$0
Sales	8/9/2018	100	V (U)	XFOB	\$0		county:\$12,003
IIIIO	5/18/2017 \$	\$100	V (U)	Just	\$12,003	Total Taxable	city:\$12,003 other:\$12,003 school:\$12,003



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GrizzlyLogic.com



## Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 2-21-37-35-0A00-00053-0000 | VACANT COM (001000) | 1.193 AC NON-OPERATING RAILROAD PROPERTY A PORTION OF THE FLORIDA EAST COAST RAILWAY AND GROUNDS IN SECTION 21, TOWNSHIP 37 SOUTH, RANGE 35 EAST, AS DEPICTED O

	SALRY RR		2019 Cer	tified Values	
Owner	C/O CSX CORP	Mkt Lnd	\$16,702	Appraised	\$16,702
	500 WATER ST J910 JACKSONVILLE, FL 332020000	Ag Lnd	\$0	Assessed	\$16,702
Site:	SW PARK ST, OKEECHOBEE	Bldg	\$0	Exempt	\$0
Sales	•	XFOB	\$0		county:\$16,702
Info	NONE	Just	\$16,702	Total Taxable	city:\$16,702 other:\$16,702 school:\$16,702



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GrizzlyLogic.com













PREPARED BY AND RETURN TO: Renée Marquis-Abrams, Esquire NEILL, GRIFFIN, TIERNEY, NEILL & MAROUIS 311 South 2nd Street Ft. Pierce, Florida 34950 Parcel ID: 2-21-37-35-0A00-00001-C000



(Space above this line for recording)

#### WARRANTY DEED

THIS WARRANTY DEED, made this 20 day of , 2018, by Morgan Family Holdings, LLC, a Florida Limited Liability Company, hereinafter called the Grantor, to Morgan Family Holdings II, LLC, a Florida Limited Liability Company, hereinafter called the Grantee, whose post office address is 1129 S.W. 39th Lane, Okeechobee, Florida 34974. (Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH, that the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Okeechobee County, Florida, viz:

#### SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject to restrictions, easements and encumbrances of record provided this recitation shall not act to reimpose the same.

This deed was prepared based upon information provided by the parties hereto and without the benefit of title examination. By the delivery (by Grantor) and acceptance (by Grantee) of this deed, the Grantor and Grantee agree to indemnify and hold harmless the preparer of this deed from any and all liability arising by reason of matters which would have been revealed by a search of the public records.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

#### TO HAVE AND TO HOLD the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2017.

Book812/Page1440 CFN#2018010818 Page 1 of 3

**IN WITNESS WHEREOF**, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:	Morgan Family Holdings, LLC, a
	Florida Limited Liability Company
(1/20	147.
10/1	Mr Jh
Printed Name of Witness: Rende Marguil Abrams	Stephen L. Morgan, as Manager of Morgan
$\mathcal{A}$	Family Holdings, LLC
Susen Hope	1129 S.W. 39th Lane
Printed Name of Witness: SusanG. Spel	Okeechobee, FL 349/74
(1/ )	Le de Marine
	Wording Willoway
Printed Name of Witness: Phil Margnis- Horans	Wanda F. Morgan, as Manager of Morgan
A. N. I	Family Holdings, LLC
Xllan X Jall	1129 S.W. 39th Lane
Printed Name of Witness: SUSGN 6. Spey	Okeechobee, FL 34974
STATE OF FLORIDA	
COUNTY OF ST. LUCIE	
	W .
The foregoing was acknowledged before mo	e this day of Aug., 2018, by Stephen
L. Morgan and Wanda F. Morgan, as Managers of M	
Liability Company, [] who are personally	
Fla ORINES License as identification	
THE UNITED STREET AS INCHINICAN	
Man. 1	XIII XIX ASI
	Site of the same o
12000000000000000000000000000000000000	Printed Name of Notary Susan G. Spece
SUSAN G. SPEE	Notary Public - State of Florida  My Commission Expires:
MY COMMISSION # GG 200699	му сопшизаци ехрися.
11 Vacable DPIRES And 1 2022	
Bonded Thru Notary Public Underwriters	

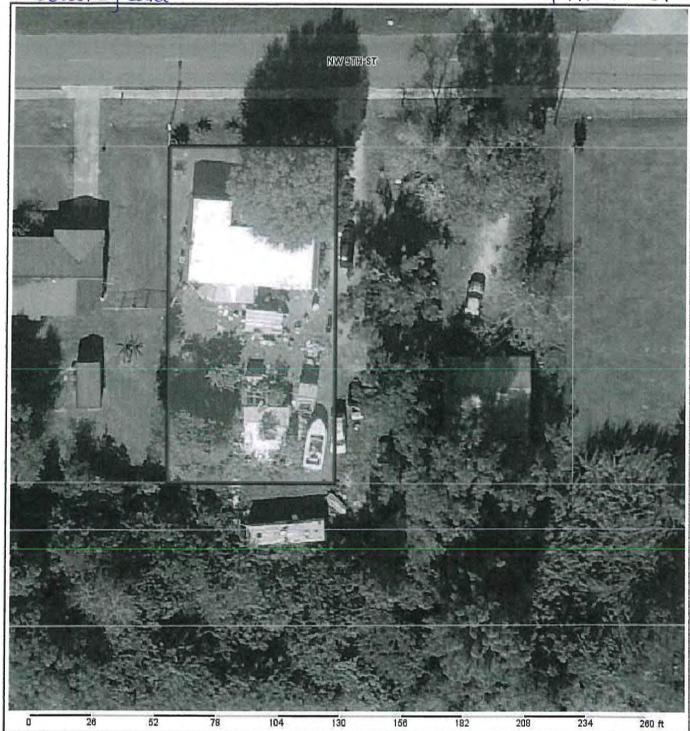
#### EXHIBIT "A"

A PARCEL OF LAND LYING IN SECTION 21, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING INTERSECTION OF THE SOUTHERLY LINE OF SOUTH PARK STREET AND THE EASTERLY RIGHT OF WAY LINE OF THE S.E.C. FORMER EAST TEAM TRACK NO. 5; THENCE SOUTH 07° 13' 25" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 115.81 FEET TO THE POINT OF BEGINNING; THENCE S 07° 13' 25" E A DISTANCE OF 257.1 FEET TO A POINT; THENCE S 89° 47' 25" W A DISTANCE OF 30.36 FEET TO A POINT; THENCE N 07° 12' 09" W A DISTANCE OF 257.23 FEET TO A POINT; THENCE N 89' 56' 24" E A DISTANCE OF 30.29 FEET TO THE PONT OF BEGINNING.



Exhibit # VII – I
Case Number 191114002
Yvette Banner

11/4/2019 Courtesy Card Mailed MapPrint\_Okeechobee-County-Property-Appraiser\_11-4-2019 191114002



# Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 3-15-37-35-0010-00430-0070 | MULTI-FAM (000800) | 0.224 AC CITY OF OKEECHOBEE (PLAT BOOK 1 PAGE 10 AND RE-RECORDED IN PLAT BOOK 5 PAGE 5) LOT 7 BLOCK 43

2019 Certified Values **BANNER YVETTE** Owner: 913 NW 9TH ST Mkt Lnd \$41,255 \$4,802 Appraised OKEECHOBEE, FL 349722001 \$41,255 \$0 Assessed 913 NW 9TH ST, Bldg \$35,524 Exempt Site: **OKEECHOBEE XFOB** \$929 county:\$37,253 1/30/2017 city:\$37,253 other:\$37,253 Sales Total Just \$41,255 Taxable Info school:\$41,255



Okeechobee County, FL

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GrizzlyLogic.com GrizzlyLogic.com

Janet mclaughtin 458-6631

2+3 Fred giving them till Dec 16th to comply

NOTES:



# Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,

VS

Respondent,

Yvette Banner

Date

05/08/2020

CASE NO. 191114002

## STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43 and Section 30-44
- 2. Address and Parcel# where violation exists:913 NW 9th Street

3-15-37-35--0010-00430-0070

3. Name and address of property owner or person in charge of location where violation exists:

Yvette Banner - 913 NW 9th Street - Okeechobee

4. Description of Violation: Public Nuisance and General Cleaning and Beautification

Property Needs to be Mowed and Debris Cleaned-up

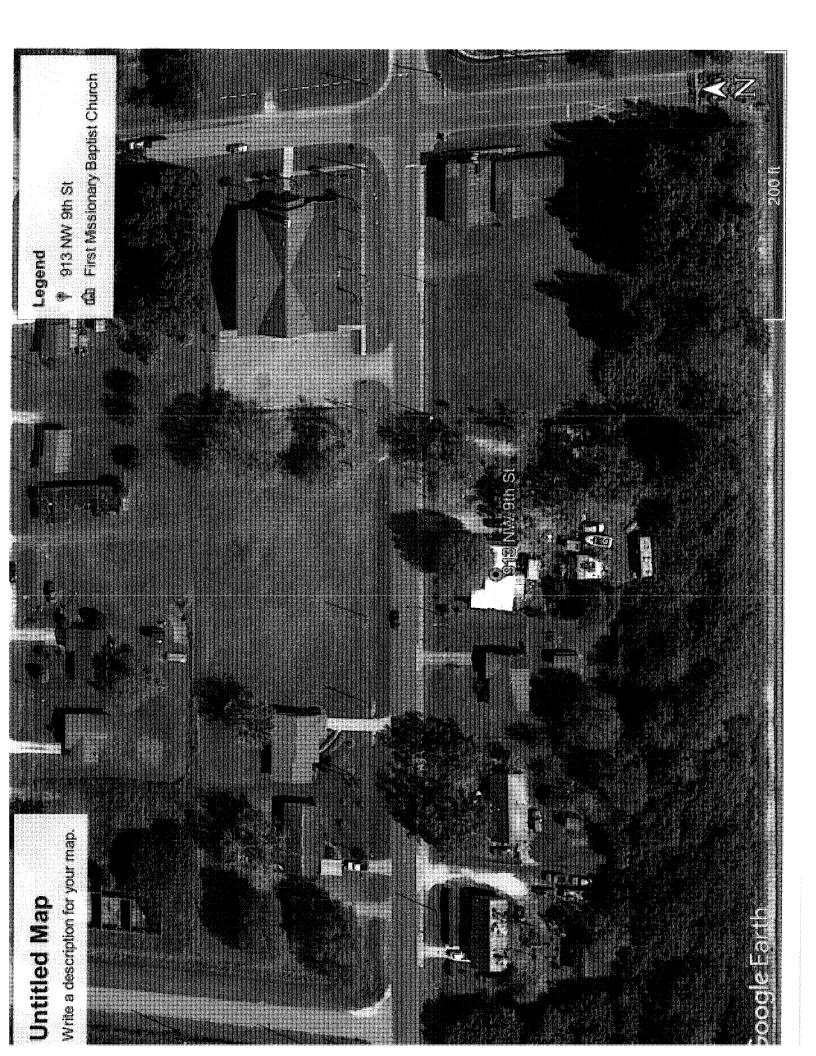
- 5. Date violation must be corrected by May 22, 2020
- 6. Date violation first observed on or about:11/7/19

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito . Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.



U.S. Postal Service CERTIFIED MAIL® RECEIPT

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Certified Mail Fee
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| Postar Services & Pees (check box, add fee as appropriate)
| Return Receipt (hardcopy)
| Return Receipt (hardcopy)
| Return Receipt (alcotronic)
| Cartified Mail Restricted Delivery \$
| Adult Signature Required |
| Adult Signature Required |
| Adult Signature Restricted Delivery \$
| Total Postage and Fees
| Sant/To | He | Down OR |
| Street and Apt. No., or PO Box No. | Street and Apt. No., or PO Box No. |
| City State, April 2015 proposessor

Domestic Return Re	PS Form 3811, July 2015 PSN 7530-02-000-9053
Restricted Delivery Cocted Delivery	TTE
Service type     Adult Signature     Adult Signature     Adult Signature     Adult Signature Restricted Delivery     Certified Mail Restricted Delivery     Certified Mail Restricted Delivery     Certified Mail Restricted Delivery     Collect on Delivery	9590 9402 5012 9063 8060 77
	Okeechobee, FL 34972
	913 NW 9th Street
	Yvette Banner
r delivery address below:	and the second of the second o
A. Signature  X  Quada  B. Rereivnd by (Primed Narte)  C. Date of D	<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>
COMPLETE THIS SECTION ON DELIVERY	SENDER: COMPLETE THIS SECTION

FILE NUM 2017000894

OR BK 785 PG 909

SHARON ROBERTSON, CLERK & COMPTROLLER

OKECHOBEE COUNTY, FLORIDA

RECORDED 01/30/2017 03:08:07 PH

AHT \$10.00

RECORDING FEES \$10.00

DEED DOC \$0.70

RECORDED BY L Shain

P9 909; (1 p9)

Parcel Identification No: 3-15-37-35-0010-00430-0070

This Instrument Prepared By and Return to:

John R. Cook 425 SW Park Street Okeechobee, FL 34972

#### QUITCLAIM DEED

This Quitclaim Deed, made this aday of JA at , 2017between EIGHT 12 TWENTY NINE, LLC, A Florida Limited Liability Comp? whose address is 1022 SW 20th Ave., Okeechobee, FL 34974, Grantor, and Yvette Banner, A married woman, whose address is 913 NW 9th Street, Okeechobee, FL 34972, Grantee.

Lot 7, Block 43 CITY OF OKEECHOBEE, according to the plat thereof as recorded in Plat Book 1 page 10 and rerecorded in Plat Book 5, page 5, public records of Okeechobee County, Florida.

Subject to easements, restrictions and reservations of record and to taxes for the year 2000 and thereafter.

To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor, either in law or equity, for the use, benefit and profit of the said Grantee forever.

In Witness Whereof, the Grantor has hereunto set it hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness #1 Signature

Witness #1 Printed Name

EIGHT 12 TWENTY NINE, LLC, A Florida Limited Liability Company

William H. Mason, MGRM
1022 SW 20th Avc., Okeechobee, FL 34974

Witness #2 Signature

C 1-4 Bo 4-D

Witness #2 Printed Name

STATE OF FLORIDA COUNTY OF OKEECHOBEE

The foregoing instrument was acknowledged before me this 30th day of January, 2017, by William H. Mason, MGRM of EIGHT 12 TWENTY NINE, LLC, A Florida Limited Liability Company on behalf of the corporation. He is personally known to me or has produced \_\_\_\_\_\_\_ as identification.

SEAL

Notary Signature

My Commission Expires:

Notary Public State of Funds
John E Burdeshaw Printed Notary Name
My Commission FF 042579
Expires 09/25/2017

File # 17-1026

Book785/Page909 CFN#2017000894

Page 1 of 1

Exhibit # VII – J
Case Number 191107023
David Altman





# Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

NOTES:

PARCEL: 3-21-37-35-0190-00030-0050 | SINGLE FAM (000100) | 0.204 AC OKEECHOBEE HEIGHTS (PLAT BOOK 5 PAGE 8) LOT 5 BLOCK 3

2019 Certified Values ALTMAN DAVID L JR Owner: 8175 SW 9TH ST OKEECHOBEE, FL 34974 Mkt Lnd \$8,128 Appraised \$90,116 Ag Lnd \$0 Assessed \$90,116 1105 SW 11TH DR, Bldg \$81,988 Exempt Site: \$0 **OKEECHOBEE XFOB** \$0 county:\$76,341 city:\$76,341 10/7/2005 Sales Total Just \$90,116 7/1/1994 9/1/1987 Taxable other:\$76,341 Info

Okeechobee County, FL

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GrizzlyLogic.com

school:\$90,116





# Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

D			4:		_			
P	е	u	u	o	n	e:	14	

VS

Respondent,

David Altman

D	a	t	o		
$\boldsymbol{\mathcal{L}}$	а	ш	u		

05/08/2020

CASE NO. 191107023

## STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43 and Section 30-44
- 2. Address and Parcel# where violation exists: 1105 SW 11th Dr

3-21-37-35-01900-00030-0050

3. Name and address of property owner or person in charge of location where violation exists:

David Altman - 8175 SW 9th Street, Okeechobee, FI 34974

4. Description of Violation: Public Nuisance and General Cleaning and Beautification

Property Needs to be Mowed and Debris Cleaned-up

- 5. Date violation must be corrected by May 22, 2020
- 6. Date violation first observed on or about. 11/7/19

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la sección 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelación sera archivada en el plazo de 30 días de la firma de la orden que se apelara

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT 2304 Domestic Mail Only 6123 SOV + NO H 191107023 Postmark Here Certified Mail Fee Extra Services & Fees (check Return Receipt (hardcopy) 0000 Return Receipt (electronic) Certified Mail Restricted Deli Adult Signature Restricted D 1120 7019 agino, apolica 200 Sul 200 Sul SENDER: COMPLETE THIS SECTION Attach this card to the back of the mailpiece, Print your name and address on the reverse PS Form 3811, July 2015 PSN 7530-02-000-9053 Complete items 1, 2, and 3. so that we can return the card to you. Article Number (Transfer from service label) or on the front if space permits. E2T9 0000 02TT 6T02 9590 9402 5012 9063 8060 53 Okeechobee, FI 34974 8175 SW 9th Street David Altman 40E2 3. Service Type

Adult Signature

Adult Signature

Cartified Mail®

Certified Mail®

Certified Mail®

Collect on Delivery

Collect on Delivery Restricted Delivery COMPLETE THIS SECTION ON DELIVERY B. Received by (Printed Name) A. Signature Mail Restricted Delivery 20 ddress different from item 1? r delivery address below: ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted
Delivery Domestic Return Receipt ☐ Signature Confirmation
☐ Signature Confirmation
Restricted Delivery ☐ Return Receipt for Merchandise C. Date of Delivery Agent Addressee □ Yes

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2. 41	Ene Myselet D.	C-7/27/9/			
R. 6.00	Clerk of Circuit Court de	ato			
Q.33b.00					
Parcel ID No	mber: 3-21-37-35-019-00	030-0050			
Grantee #1 7					
Warra	nty Deed				
This Inde	nture. Made this 26th day	of July	, 1994 AD.,	Between	
BETTY J	. WINTERS, a single woman,		TANKY.		
of the Coun	over OKEECHOBEE	, State of Florida		, grantor, and	
DAVID L	ALTMAN, JR. and SHELLI	EY J. ALTMAN, his wi	fe,	100000	
whose addre	= 1105 SW 11TH DRIVE, O	KEECHOBEE, Florid	a 34974		
of the Coun		, State of Florida		, grantees.	
Witnesset	h that the GRANTOR, for and in consider	NO/100(\$10.00)		DOLLARS	
and other go granted, bar	od and valuable consideration to GRANTO gained and sold to the said GRANTEES and in the County of OKEECHOBE	OR in hand paid by GRANTEES, and GRANTEES' bein and and	the receipt whereof is he gas forever, the following	reby acknowledged, has	
THERE	, BLOCK 3, OKEECHOBEE OF RECORDED IN PLAT B HOBEE COUNTY, FLORIDA	OOK 1. PAGE 12.	ING TO THE P PUBLIC RECOR	LAT DS OF	
Subje	ct to restrictions, r	eservations and	easements of	record,	
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		CLE	GLCHA LITTER	Jk I	
		1			
and the gran	tor does hereby fully warrant the title to sai	d land, and will defend the same a	gainst lawful claims of al	persons whomsoever.	
Signed, sonly	ed and digityered in our presence:	berrunto set ber hand and	scal the day and year	first above written.	
	12	Beth	1. Winters	(Seal)	
Printed	Name SYLVIA E LIF	Scomb BETTY	. WINTERS	OKEECHOBEE FL 34974	
1	Jones Rush	P.O. Address	III SWITH DRIVE	OKEECHOBIEL PL 34974	1
Printed Witness	Name: SONSUN BURIC				
	F Florida OF OKEECHOBEE				
The foregoi	mg instrument was acknowledged before winters, a single woman,	me this 26th day o	July	, 1994 by	
who is persona as identification	lly known to me or who has produced her D	RIVER'S LICENSES	11	(A) TRACT!	7 1
	Prepared By:		6 11		
A COMECHOBI THE TAN TO THE T	EV E TITLE CO.	Printed !	Vame:		
	TREET, P. O. BOX 1211	NOTARY		**************************************	W.

Exhibit # VII – K
Case Number 200128021
Forest Gainer



# Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,

VS

Respondent,

Date

05/18/2020

CASE NO. 200128021

Forest Gainer JR

## STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43, 30-44 & 70-251
- 2. Address and Parcel# where violation exists:204 NE 8th Ave

3-15-37-35-021A-00000-0240

3. Name and address of property owner or person in charge of location where violation exists:

Forest Gainer JR - 142 SW 72nd Ter, Okcechobee

4. Description of Violation: Lite Pole Needs to be Reaired, Remove Debris and also Building

Without a Permit - See Photos Attached

- 5. Date violation must be corrected by Jun 5, 2020
- 6. Date violation first observed on or about:1/28/19

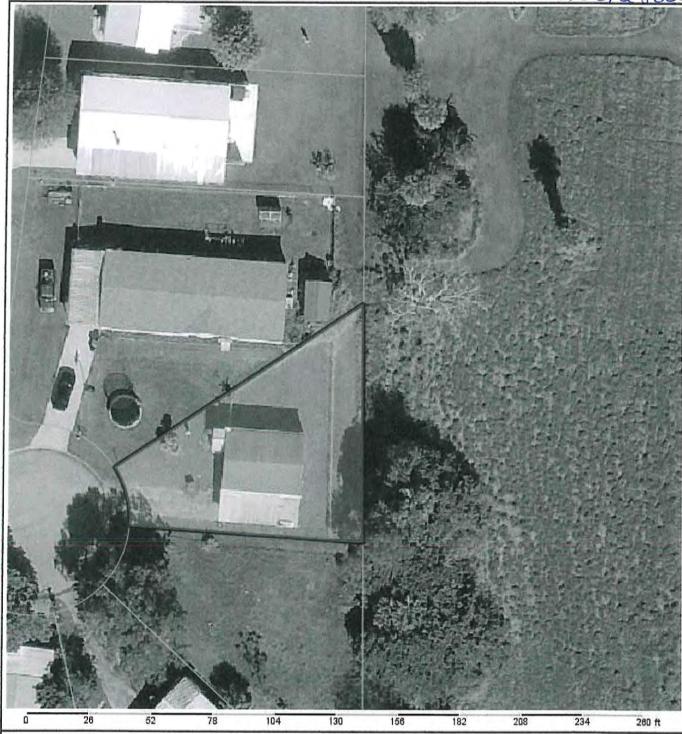
Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 9th day June Zuzu at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.



# Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARC	EL: 3-15-37-		000-0240   MC			3 AC	NOTES:	All Maria
	GAINER FOREST R JR		2019 Certified Values				1	
Owner	142 SW 72ND	TERRACE	Mkt Lnd	\$5,500	Appraised	\$32,289		No. of the last of
	OKEECHOBEE, FL 34974		Ag Lnd	\$0	Assessed	\$32,289		
Site:	204 NE 8TH AVE,		Bldg	\$26,789	Exempt	\$0		6, 1
	OKEECHOBEE		XFOB	\$0		county:\$26,228		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Sales	3/27/2006 11/19/2003	\$76,000 I(Q) \$0 I(U)	Just	\$32,289	Total	city:\$26,228		The state of the s
Info	11/18/2003	\$0 I(U)			Taxable	other:\$26,228 school:\$32,289		Okeechobee County FI

This information., was derived from data which was compiled by the Okeechobee County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.

GrizzlyLogic.com



	Date: 1 - 28 - 2020			
Re: 204 NE 8th Aue / 2	00128021			
Dear Property Owner,				
This is a courtesy card requesting your assistance in a above address. The following violation(s) exist:	alleviating the following code violation(s) at the			
Overgrown Weeds, Grass, Bushes or Shrubs	☐ Unauthorized Signs, Flags or Banners			
☐ Trash, Yard Debris or Junk	Operating a Business Without Required License			
☐ Inoperable, Abandoned or Unlicensed Vehicle	☐ Pool Violation			
☐ International Property Maintenance Code Ch	Sec			
Other Life Pole Need to be	2 Repaired			
(Exposed wire				
PL	ease see Photos			

Please contact our office at (863) 763-2626 within 10 days of receipt of this card and let us know when violation(s) will be corrected. We appreciate your cooperation.







## RE: Gainer Pictures 204 NE 8th Ave

## Gail Neu <gneu@cityofokeechobee.com>

Tue 5/19/2020 4:25 PM

To: Fred Sterling <fsterling@cityofokeechobee.com>

Hey Fred -

Per our telephone conversation, I shared your pictures with Jeff....he agrees with a code violation.

Thanks ~~Gail~~

From: Fred Sterling <fsterling@cityofokeechobee.com>

Sent: Tuesday, May 19, 2020 2:01 PM

**To:** Gail Neu <gneu@cityofokeechobee.com> **Subject:** Gainer Pictures 204 NE 8th Ave

Wanted you to have these to show Jeff

Elite Title, Inc.

Elite Title, Inc.

SHARON ROBERTSON: CLERK OF CIRCUIT COURT

Die Chore Courty, FL

RECORDED 04/04/2006 11:19:13 AM

RECORDING FEES 10.00

Okeechobee, Florida 34972

Property Appraisers Parcel Identification (Folio) Numbers: 3-15-37-35-021A-00080-17-38; (1ps)

Space Above This Line For Recording Data

THIS WARRANTY DEED, made the 27th day of March, 2006 by Mitch Blakeney and Karen Blakeney, whose post office address is 3024 SE 25th Street, Okeechobee, FI 34974 herein called the grantors, to Edna Mae Fantozzi and Forrest R. Gainer, Jr., as joint tenants with full rights of survivorship, whose post office address is 6622 NE 1st Street, Okeechobee, FI 34972, hereinafter called the Grantees:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantors, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in OKEECHOBEE County, State of Florida,

LOT 24, RIVER RUN RESORT, UNIT 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 18, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.

Subject to essements, restrictions and reservations of record and taxes for the year 2005 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the grantors hereby covenant with said grantees that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2005.

IN WITNESS WHEREOF, the said grantors have signed and sealed these presents the day and year first above written.

Signed and delivered in the

Witness #1 Signature

Witness #2 Printed Name

STATE OF FLORIDA COUNTY OF OKEECHOBEE

The foregoing instrument was acknowledged before me this 27th day of March, 2006 by Mitch Blakeney and Karen Blakeney who are personally known to me or have produced identification.

SEAL

MULHOLLAND

Public

Printed Notary Name

Mitch Blakeney

My Commission Expires:

File No: 06-3006

----

Exhibit # VII – L

Case Number 200423009

Okeechobee Lake Corporation



Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 3-21-37-35-0040-00160-0010 | RESTAURANT (002100) | 0.98 AC

SOUTH OKEECHOBEE LOTS 1, 2, 3, 7, 8 AND 9, BLOCK 16, LESS THE WEST 15 FEET OF LOTS 7, 8 AND 9, SOUTH OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDE

OKEECHOBEE LAKE CORP 2019 Certified Values

Owner: 3907 NW 49TH ST TAMARAC, FL 33309 Mkt Lnd \$199,125 Appraised \$447,483 Ag Lnd Assessed \$447,483 1100 S PARROTT AVE, Site: Bldg **OKEECHOBEE** \$216,728 Exempt **XFOB** 7/21/2010 \$31,630 county:\$447,483 Sales

\$490,000 I (U) \$490,000 I (Q) \$88,300 V (Q) 12/31/2008 city:\$447,483 other:\$447,483 Total Just \$447,483 Info 9/1/1983 Taxable school:\$447,483



Okeechobee County, FL

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mailed Claura 4/24/2020



# Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,

VS

Respondent,

Okeechobee Lake Corporation

Date

05/18/2020

CASE NO. 200423009

# STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43, 30-44
- 2. Address and Parcel# where violation exists:1100 S Parrott Ave

3-21-37-35-0040-00160-0010

- 3. Name and address of property owner or person in charge of location where violation exists:

  Okeechobee Lake Corporation (La Granjia) 3907 NW 49th St Tamarac, H., 33309
- 4. Description of Violation: Mow, Clean-up Debris also Repair the Parking Area Potholes, also Need to Cover the Grease Pit in the Back of the Building. See Attached Photos.

5. Date violation must be corrected by Jun 5, 2020

6. Date violation first observed on or about 4/23/20

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 9th day June Zuzu at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

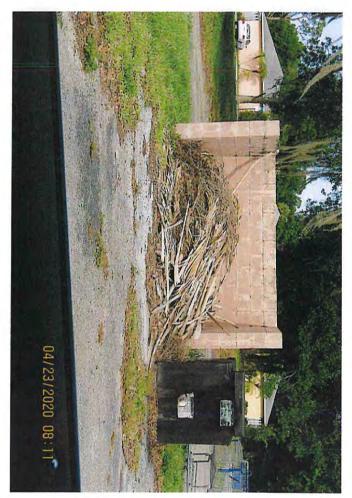
De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT 2345 Domestic Mail Only Certified Mall Fee 812 SOV + NOH Extra Services & Fees (check box, add fee as appropriate than Receipt (hardcopy) \$ 200423009 Postmark 0000 Certified Mail Restricted Deli Here Adult Signature Required Adult Signature Restricted Delivery S 1,1,20 Total Postage and Feet 7019 5+ 33309 PS Form 3800, April 2015 P SENDER: COMPLETE THIS SECTION ■ Complete items 1, 2, and 3. PS Form 3811, July 2015 PSN 7530-02-000-9053 2. Article Number (Transfer from service label) Attach this card to the back of the mailpiece, Print your name and address on the reverse so that we can return the card to you. or on the front if space permits. 7019 1.6414 9590 9402 5012 9063 7954 Okeechobee Lake Corporation 7750 0000 3907 NW 49th Street Tamarac, Fl 33309 EZTB 크바르 Adult Signature
 Adult Signature
 Adult Signature
 Certified Mail®
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 Collect on Delivery Restricted Delivery
 Mail A. Signature COMPLETE THIS SECTION ON DELIVERY B. Received by (Printed Name) x Yavaraga Mail Restricted Delivery 00) address different from item 1? ar delivery address below: ☐ Priority Mail Express®
☐ Registered Mail<sup>TM</sup>
☐ Registered Mail Restricted
Delivery Domestic Return Receipt ☐ Signature Confirmation™
☐ Signature Confirmation
Restricted Delivery ☐ Return Receipt for Merchandise C. Date of Delivery ☐ Agent
☐ Addressee O Yes









Florida Department of State



Department of State / Division of Corporations / Search Records / Detail By Document Number /

### **Detail by Entity Name**

Florida Profit Corporation
OKEECHOBEE LAKE CORP

Filing Information

 Document Number
 P10000054292

 FEI/EIN Number
 27-2950983

 Date Filed
 06/29/2010

State FL

Status ACTIVE

Last Event REINSTATEMENT

Event Date Filed 04/30/2015

Principal Address 3907 NW 49TH ST TAMARAC, FL 33309

Changed: 04/30/2015

Mailing Address 3907 NW 49TH ST TAMARAC, FL 33309

Changed: 04/30/2015

Registered Agent Name & Address

BARTRA, GUSTAVO SR. 3907 NW 49TH ST TAMARAC, FL 33309

Name Changed: 04/30/2015

Address Changed: 04/30/2015

Officer/Director Detail
Name & Address

Title P

BARTRA, GUSTAVO SR. 3907 NW 49TH ST TAMARAC, FL 33309

Title VP

Machonida Title Layers of LLA

FILE NUM 2010008282

OR BK 00689 PG 1135

SHARON ROBERTSON, CLERK OF CIRCUIT COURT

DKECCHOBEE COUNTY, FLORIDA

RECORDED 08/03/2010 03:54:19 PM

ANT 265,000.00

RECORDING FEES \$197,00

MTG DOC \$927.50

RECORDED BY 6 Membourn

P95 1135 - 1157; (23pss)

This instrument prepared by and return to: Craig B. Hill, Esquire Law Office of Craig B. Hill, P.L. 210 Woodward Street Lakeland, FL 33803

### MORTGAGE AND SECURITY AGREEMENT

This Mortgage and Security Agreement ("Mortgage") is executed this 22 "day of July, 2010, by Okeechobee Lake Corp, a Florida corporation (the "Mortgagor"), whose mailing address is 6542 W. Atlantic Blvd., Margate, FL 33063, in favor of MIDFLORIDA Credit Union, the mailing address of which is 129 South Kentucky Avenue, Suite 500, Lakeland, Florida 33801 (the "Mortgagee"), and is made in reference to the following facts:

Mortgagor is justly indebted to Mortgagee in the total principal sum of \$265,000.00, which is evidenced by a Promissory Note executed by Mortgagor in favor of Mortgagee dated of even date herewith, the terms and conditions of which are incorporated in and made a part hereof (the "Note"). The Note bears interest at the rates, provides for payments of principal and interest in the manner and has a maturity date all as stated therein.

Mortgagee is desirous of securing the prompt payment of the Note, and any additional indebtedness accruing to the Mortgagee on account of any future payments, advances, or expenditures made by the Mortgagee or on account of any other indebtedness incurred in connection with this Mortgage or any other instrument securing the Note as set forth herein.

NOW, THEREFORE, for and in consideration of Mortgagee making the aforesaid loan to Mortgagor and for other good and valuable consideration, and to secure the payment of the aforesaid indebtedness, the Mortgagor does hereby grant, bargain, sell, alien, remise, convey and confirm unto the Mortgagee all that certain land, and all structures, buildings and improvements thereon, of which Mortgagor is now seized and in possession, situate in Okeechobee County, Florida, more particularly described in <a href="Exhibit "A" attached hereto and by this reference incorporated herein.">Exhibit "A"</a> attached hereto and by this reference incorporated herein.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances and all structures, buildings and improvements of every kind and description now or hereafter on said land, and all heretofore or hereafter vacated alleys and streets abutting the said land and all riparian and littoral rights, easements, rights, rents, royalties, mineral, oil and gas rights and profits, water, water rights and water stock appurtenant to the said land.

Initials

its discretion even though subsequent owners of the Property described herein may benefit thereby. In the event of any default under this Mortgage which is not cured within the curative period, if any, set forth herein Mortgagee at its discretion and option may apply all or any part of said reserve fund to the indebtedness hereby secured. In refunding any part of said reserve fund, the Mortgagee may deal with whomsoever is represented to be the owner of the Property at that time.

- 3. Taxes. Mortgagor shall, during the term of this Mortgage, pay all taxes (unless Mortgagee has required an escrow of said taxes and pays same as set forth above), assessments and encumbrances of every nature that may for any and all purposes be payable, assessed or imposed on the Property, or any part thereof, or the income therefrom, and upon this Mortgage and the Note, or the money secured and evidenced thereby, and shall pay them before the delinquency thereof and receipts evidencing payment of said taxes, assessments, levies and encumbrances shall be deposited with the Mortgagee on or before February 28 of each succeeding year during the term of this Mortgage. Mortgagee shall be the sole judge of any such tax, assessment, water rent, claim, lien or encumbrance and of the amount necessary to be paid in satisfaction thereof.
- 4. Insurance. Mortgagor shall keep the buildings and other improvements, which are now, or which hereafter may be erected on the Property, including any personal property and fixtures described herein, constantly insured against loss by fire with extended coverage in a sum not less than full insurable value so as to avoid any claim on the part of the insurers for coinsurance, and in addition shall keep in full force and effect policies of insurance insuring against such other hazards, casualties, and contingencies as Mortgagee may require, including, but not limited to, Flood Insurance (only if structures on the Property are located within a flood hazard area), Property Damage Insurance (including wind coverage) and Public Liability Insurance. All insurance required by Mortgagee hereunder shall be on such forms, for such periods, and in such amounts as Mortgagee may require with loss payable to the Mortgagee under a clause acceptable to Mortgagee in its sole discretion (which shall include a minimum of thirty (30) days advance written notice of cancellation of such insurances), and with deductibles acceptable to Mortgagee. Mortgagor shall deliver the policy, or policies, to the Mortgagee, as additional security, and where renewal policies are necessary in the performance of this covenant, Mortgagor shall deliver the same to Mortgagee at least thirty (30) days before the expiration of the existing insurance. In the event such policy or policies are a part of a master policy insuring properties in addition to the Property, then Mortgagor may submit to Mortgagee a certified copy of such policy together with the original loss payable endorsement in lieu of the original policy as set forth above. In the event of loss, the Mortgagor shall give immediate notice by mail to the Mortgagee; and in the event Mortgagor shall fail to agree with the insurance companies involved as to the amount and terms of any loss within sixty (60) days, unless Mortgagor in good faith is diligently attempting to resolve the issue with such insurance companies of the happening of such loss, then the Mortgagee may negotiate with and settle said loss with such insurance companies and neither the Mortgagee nor the insurance companies involved shall, upon such settlement being made, be liable in any manner to the Mortgagor. The Mortgagee shall have the right to apply any funds received from insurance policies required under this Mortgage or under any other instrument securing the Note to the payment of the indebtedness or other sums hereby secured unless Mortgagor wishes to reconstruct the damaged improvements, so long as no

- 8. Toxic or Hazardous Substances. Mortgagor warrants, represents, and covenants to Mortgagee after thorough investigation that:
- (a) Neither Mortgagor nor any tenant, subtenant, or other person has brought onto or used Hazardous Materials (defined below) on, from or affecting the Property in any manner which violates federal, state or local laws, ordinances, rules, regulations or policies governing the use, storage, treatment, transportation, manufacture, refinement, handling, production or disposal of Hazardous Materials.
- (b) Mortgagor shall keep the Property, or cause the Property to be kept, free of Hazardous Materials.
  - (c) Without limitation to the foregoing, Mortgagor shall neither cause nor permit:
- (i) the Property to be used to generate, manufacture, refine, transport, treat, store, handle, dispose, transfer, produce or process Hazardous Materials, except in strict compliance with all applicable federal, state and local laws or regulations, nor
- (ii) a release of Hazardous Materials onto the Property or any other property as a result of any intentional or unintentional act or omission on the part of Mortgagor or any tenant or subtenant.
- (d) Mortgagor shall comply with, and ensure compliance by all tenants and subtenants with, all applicable federal, state and local laws, ordinances, rules and regulations related to Hazardous Materials, whenever and by whomever enacted or made effective. Mortgagor shall obtain and comply with, and ensure that all tenants and subtenants obtain and comply with, all approvals, registrations or permits required under such laws, ordinances, rules and regulations.
- (e) Mortgagor shall conduct and complete all investigations, studies, sampling and testing, and all remedial, removal and other actions on, from or affecting the Property (i) in accordance with all applicable federal, state and local laws, ordinances, rules, regulations and policies, (ii) at the request of and to the satisfaction of Mortgagee, and (iii) in accordance with the orders and directives of all federal, state and local governmental authorities.
- (f) If it is determined that the soils of the Property contain any materials having sufficient concentrations of elements which produce radon gas, Mortgagor shall improve the Property and perform all construction thereon in a manner employing radon resistant construction techniques and mitigation measures, and in accordance with any special building codes and requirements promulgated by any federal, state, county or municipal governmental body or agency with regard to this issue.
- (g) Mortgagor shall defend, indemnify and hold harmless Mortgagee, and Mortgagee's employees, agents, officers and directors, from and against any claims, demands, penalties, fines, liabilities, settlements, damages, costs or expenses of any kind or nature, known or unknown?

that they are in good order and repair, and so that the Property, all improvements thereon and all personal property situated therein are maintained in good order and repair and so that all of such items present to the guests and patrons of Mortgagor in the operation of its business, a first class and attractive premises. Mortgagor shall not allow any construction liens to be filed against or attach to the Property. In the event any construction liens are filed against the Property, or any part thereof, Mortgagor shall promptly cause the same to be discharged, paid, bonded or otherwise satisfied so that it no longer affects the Property within thirty (30) days after the filing and service on Mortgagor, or within ten (10) days after a suit for the foreclosure thereof has been filed and served on Mortgagor, whichever date is earlier.

10. Protection of Mortgagee's Security, Mortgagor shall execute and/or cause to be executed such further assurances of title to the Property, and to take and cause to be taken, such steps, including legal proceedings as may at any time appear to the Mortgagee to be reasonably desirable to perfect the title to the Property in the Mortgagee. Upon a failure or default in or breach of performance of any of the covenants and agreements contained herein, the Mortgagee may, without notice to the Mortgagor, pay all taxes, assessments, and public charges, and/or take such steps as may be necessary to secure or redeem the Property from forfeiture or sale, and/or effect or renew any insurance, and/or make such repairs as may be necessary to keep the Property, equipment, appurtenances and accessories in good order and repair and/or take or cause to be taken, such steps, including legal proceedings and performing environmental audits, surveys or appraisal, as may be reasonably desirable to prevent the commission of waste, impairment or deterioration or to determine the condition or value of the Property, or any part thereof, or to perfect the title to the Property in the Mortgagee, and/or to perform any other acts or expend such other sums deemed necessary by Mortgagee to protect its security for the repayment of the Note, and all sums expended in the doing of or on account of the same, shall be a part of the debt secured by this Mortgage, and shall be secured as fully as the principal debt and interest is secured, and shall bear interest at the highest legal rate permitted by law to be charged by Mortgagee from the date of the expenditure thereof and shall together with the interest thereon, be repaid by the Mortgagor before the expiration of a period of thirty (30) days thereafter. However, there is no obligation upon the Mortgagee to make such payments or take such steps, nor shall any act of the Mortgagee or any failure to act under the powers granted by this paragraph, nor any lapse of time, be construed as the waiver of any breach of the covenants and agreements contained herein.

11. Civil Proceedings. If any action or proceeding is commenced, to which action or proceeding the Mortgagee is or becomes a party or in which it becomes necessary to defend or uphold the lien of this Mortgage (including to protect its interests in any condemnation proceedings), all sums paid by the Mortgagee for the expense of any litigation (including reasonable attorneys' fees and appellate counsel fees, if any) to prosecute or defend the rights and lien created by this Mortgage shall on notice and demand be paid by the Mortgagor, together with interest thereon at the highest legal rate permitted by law to be charged by Mortgagee, and shall be a lien on the Property, prior to any right or title to, interest in or claim upon the Property subordinate to the lien of this Mortgage, and shall be deemed to be secured by this Mortgage and evidenced by the Note.



Mortgagee is hereby authorized to file a financing statement describing the Collateral to perfect the security interest of the Mortgagee, and any continuations thereof. From time to time upon the request of the Mortgagee, Mortgagor will furnish an inventory of the Collateral to Mortgagee, which inventory shall specifically describe the Collateral by make, model and serial number or other identification, if applicable, insofar as possible. Mortgagor shall keep the Collateral, all and singular, on the Property and shall not remove or permit same to be removed therefrom without the prior written consent of the Mortgagee except that Mortgagor shall be entitled to dispose of such of the Collateral as has become unfit for continued use provided Mortgagor simultaneously replaces same with property of similar kind and for like use and provided the purchase price of any such replacement shall have been paid in full and provided that the lien of this security agreement shall continue upon any such replacement. Mortgagor shall use reasonable care and diligence to preserve and keep the Collateral in good condition and shall not permit or commit any waste, impairment or deterioration thereof and Mortgagor shall use same only in connection with the Property. Mortgagor shall not sell or attempt to sell any of the Collateral and shall not create or permit any other security interest or other lien or encumbrance upon such Collateral without the prior written consent of the Mortgagee. Mortgagor shall pay, all and singular, the expenditures, costs, charges and expenses, including reasonable attorneys' fees and costs of title searches and information requests, incurred or paid at any time by the Mortgagee because of the failure on the part of the Mortgagor promptly and fully to perform any of its obligations set forth in this paragraph and all such costs, charges and expenses shall be immediately due and payable and shall bear interest at the highest legal rate permitted by law to be charged by Mortgagee from time to time, from date of payment by Mortgagee until repaid by Mortgagor and, together with such interest, shall be secured by the lien hereof. In the event that the Mortgagee accelerates the indebtedness secured hereby so as to make the same immediately due and payable, Mortgagee shall have and may exercise any and all rights and remedies of a Mortgagee under the Uniform Commercial Code of the State of Florida as to the Collateral and any and all other rights and remedies available to it under any other applicable law. Provided that Mortgages, at its option, may elect to treat the Collateral or portions thereof as real property or an interest therein for purposes of election of remedies, establishment of priorities or otherwise. Upon request or demand of Mortgagee, Mortgagor shall, at Mortgagor's expense, assemble the Collateral and make it available to the Mortgagee and Mortgagor shall promptly pay all costs of Mortgagee incident to the enforcement of Mortgagee's rights hereunder, including reasonable attorneys' fees and legal expenses and expenses of any repairs to any of the Collateral and expenses of any repairs to any realty or other property to which any of the Collateral may be affixed or be a part. Expenses of retaking, holding, preparing for sale, selling or the like, shall include those incurred on appeal, if any. The provisions of this paragraph are cumulative and in addition to the provisions of the Note and all other provisions of this Mortgage. In the event of any assignment hereof by Mortgagee, Mortgagor covenants and agrees that Mortgagor will not assert against any assignee hereof any claim or defense which Mortgagor may have against Mortgagee as to the Collateral, except Mortgagor may assert against any such assignee any defense of a type which may be asserted against a holder in due course of a negotiable instrument under the Uniform Commercial Code of the State of Florida.

15. <u>Uniform Commercial Code.</u> When and if Mortgagor and Mortgagee shall respectively become the Debtor and Secured Party in any Uniform Commercial Code Financing Statement affecting property either referred to or described herein, or in any way connected with the use

to the Mortgagee a first security interest in and to the following: (a) all furniture and fixtures; (b) all present and future rents, issues, profits and income from the Property, and each and every part and parcel thereof and also all present and future right, title and interest of the Mortgagor under and by virtue of each and every franchise, license, permit, governmental approvals, certificates, lease, contract for deed, or purchase and sale agreement, utility agreements (including, but not limited to, agreements for water, sewage, collection and treatment service and capacity, electrical, power, gas, telephone and communication), agreements for service, development and construction agreements, plans and specifications, construction drawings, surveys, or any other document or contractual right, written or verbal, covering any part or parcel of the Property, whether now or hereafter made, and any and all amendments to or modifications, extensions or renewals thereof and all proceeds thereof; (c) all bank accounts and deposit accounts into which any of the proceeds of the foregoing are deposited but only to the extent of any such proceeds; and (d) proceeds of all the foregoing. Mortgagor hereby warrants that there are no contracts for deed, purchase and sale Agreements, mortgages or leases affecting the Property as of the day and year first above written nor shall there be any in existence on the date of recordation of this Mortgage except for those set forth in the Affidavit, Mortgagor further warrants that it has not executed nor will it execute at any time during the term of this Mortgage any other assignments or instruments encumbering the items described in this paragraph. The Mortgagee shall have the right to and may receive the rents, issues, profits and income from the Property or from the business operations conducted by Mortgagor upon the Property, including all rents payable under any lease hereby assigned, for application toward the reduction of the indebtedness under the Note only if and in the event the Mortgagor defaults in, breaches or fails to perform any one or more of the covenants and agreements contained in this Mortgage and such is not cured within the applicable curative period specified in this Mortgage, if any. In the event of Mortgagor's default, breach or failure to perform which is not cured within the curative period as aforesaid, and the exercise by the Mortgagee of its right to receive such rents, issues, profits and income, the amounts so received prior to foreclosure sale shall be applied in accordance with the applicable provisions of this Mortgage. However, the Mortgagee's right to receive such rents, issues, profits and income and all other rights afforded Mortgagee in this paragraph shall be cumulative and in addition to all other rights of Mortgagee set forth in this Mortgage. In addition, the Mortgagee shall have and may exercise from time to time any and all rights and remedies of a secured party under the Uniform Commercial Code of the State of Florida and any and all other rights and remedies available to it under any other applicable law as to the rights and interests granted Mortgagee in this paragraph. Provided that Mortgagee, at its option, may elect to treat the rights and interests granted Mortgagee in this paragraph or portions thereof as real property or an interest therein for purposes of election of remedies, establishment of priorities or otherwise. Mortgagor shall not accept advance rental payments from lessees or tenants for a period in excess of two (2) months without first obtaining the written consent of the Mortgagee. If any lessee or tenant shall pay rental for more than one month in advance, such advance rental payment shall not be binding upon the Mortgagee and if the Mortgagee shall elect, as herein provided, to receive the rents, issues, profits and income, or in the event of foreclosure of this Mortgage, such lessee or tenant shall have no right by reason or on account of any such advance rental payment to remain on the Property or any part thereof nor to a refund by the Mortgagee of any such advance rental payment. In the event any tax or assessment shall be levied or assessed against the Mortgagee on account of or incident to this paragraph, the Mortgagor will pay said tax as soon as it is due and payable, and if the Mortgagor shall fail to pay any such tax the

- Intervening Liens. Any agreement hereafter made by Mortgagor and Mortgagee pursuant to this Mortgage shall be superior to the rights of the holder of any intervening lien or encumbrance.
- 22. Waiver. No failure of Mortgagee to exercise any option herein given to declare the maturity of the debt hereby secured shall be taken or construed as a waiver of its right to exercise such option or to declare such maturity by reason of any past, present, or future default on the part of Mortgagor; and the procurement of insurance or the payment of taxes or other liens, debts, or charges by Mortgagee shall not be taken or construed as a waiver of its right to declare the maturity of the indebtedness hereby secured by reason of failure of Mortgagor to procure such insurance or to pay such taxes, debts, liens or charges. The lien of this Mortgage shall remain in full force and effect during any postponement or extension of time of payment of any part or all of the indebtedness secured hereby and during the term of any future advances made hereunder.
- 23. Exemptions. The Mortgagor agrees not to set up or claim the benefit of curtesy or dower laws, or any exemption or insolvency laws against any claim of the Mortgagee, for any sum of money which may become due and payable to it, under the covenants and agreements of the Note, or of this Mortgage, or any other instrument securing said Note, or against the securing of execution of any judgment sought thereon, all of said rights and exemptions being hereby expressly waived.
- 24. Default. The happening of any of the following events shall constitute a default hereunder: (a) a default shall occur under the Note; (b) failure of any Obligor (as defined hereinafter) to perform any covenant or agreement in this Mortgage or the Documents; (c) the filing of any petition under the Bankruptcy Code, or any similar federal or state statute, against any Obligor or by any Obligor; (d) the filing in any court of an application for the appointment of a receiver or trustee to take custody of the Property or any part thereof; (e) the filing of any application in any court for the appointment of a receiver for the benefit of one or more creditors of any Obligor, or the making of a general assignment for the benefit of creditors of any Obligor; (f) the death, dissolution, termination, business failure, merger, consolidation, or reorganization of any Obligor; (g) any material warranty, representation, certificate or statement of any Obligor, whether contained in this Mortgage, the Note or in any Document, is not true; (h) the taking pursuant to governmental authority of all or any substantial part of the Property or other real or personal property encumbered by this Mortgage or other instruments of security securing the Note; (i) a default shall occur under or any proceedings are instituted for the foreclosure or collection of any mortgage, judgment or lien that affects the Property or other collateral encumbered by this Mortgage or other instruments of security for the Note; (j) a default shall occur under any other notes or other evidence of indebtedness and any instruments of security therefore or any other loan documents of which any other lender is the holder in or for which Obligor or any of its Affiliates (as defined hereinafter) is liable; or (k) should any franchise agreement, license or permit in existence on the date of this Mortgage or any other agreement, license or permit necessary for the operation and use of the Property contemplated herein be revoked or terminated or should any conditions imposed by any governmental authority not be complied with by the time requested by such authority as a condition to non-revocation or nor

transferred, assigned, set over and pledged as further security for the payment of the mortgage indebtedness, with the right on the part of the Mortgagee, but without any duty to do so, at any time after default hereunder to demand and receive and apply the same upon the mortgage indebtedness, and such appointment shall be with reasonable notice.

- Costs and Attorneys' Fees. In the event the Property or any part thereof becomes the subject of or involved in any action or court proceeding (including any bankruptcy case or proceeding), the Mortgagor shall pay and reimburse the Mortgagee for all costs, charges and expenses, including reasonable attorneys' fees, and further including those on appeal, incurred by the Mortgagee in connection with or growing out of such action or proceeding and all such costs, charges, expenses and reasonable attorneys' fees shall be secured by the lien of this Mortgage. The Mortgagor agrees to pay all such costs, charges, expenses and reasonable attorneys' fees to the Mortgagee promptly. The Mortgagor will pay all costs, charges and expenses including reasonable attorneys' fees, costs of abstracts of title, title searches, surveys, environmental audits, and appraisals, incurred or paid at any time by the Mortgagee because of the failure of the Mortgagor to promptly and fully perform the agreements and covenants of the Note or this Mortgage or of any other instrument securing the Note or executed by the Mortgagor in connection with the loan evidenced by the Note. Said costs, charges and expenses shall be immediately due and payable and secured by the lien of this Mortgage. Said reasonable attorneys' fees shall include any such incurred or expended at any time by the Mortgagee after any default by the Mortgagor as specified above even if incurred prior to the commencement of any action or otherwise, in the foreclosure of this Mortgage or the collection of the amount secured hereby. The obligation to pay Mortgagee's costs, expenses and reasonable attorneys' fees shall include those costs, expenses and fees incurred by Mortgagee in seeking to collect or enforce any judgment entries on the Note, this Mortgage or any other instrument of security, and such obligations shall survive the entry of any judgment upon the Note or this Mortgage and such obligation shall not merge in such judgment or judgments but shall survive and continue until all debts and obligations evidenced by the Note, this Mortgage or any other instruments of security, and any judgment or judgments entered thereon or foreclosures thereof are enforced, paid and satisfied in full. All references in this paragraph and elsewhere in this Mortgage and the Documents to attorneys' fees and costs shall include all fees and costs incurred by the Mortgagee for the services of paralegals, legal assistants and other paraprofessionals for work performed under or at the direction of a licensed attorney.
- 28. <u>Late Charges</u>. Installments, payable under the terms hereof and the Note secured hereby, not paid when due shall be subject to "late charges" as provided in the Note, and such "late charges" are secured by the lien hereof.
- 29. Transfer of Property. If all or any part of the Property or any interest therein is sold or transferred by Mortgagor (or any subsequent owner of the Property) except as specifically authorized herein or by Mortgagee in writing, or if the Property is made subject to a lease with an option to purchase (specifically excluding a lease in the ordinary course of business which does not contain an option to purchase), or if the Property is made subject to a master leasehold interest between Mortgagor (or subsequent owner of the Property) as the lessor and another party as the lessee, or if the Property becomes subject to any contract(s) for deeds without the Mortgagee's prior written consent, Mortgagee may, at Mortgagee's option, and without notice to

- 31. Proceeds of Claims. Awards. Rents and Sales. Unless otherwise provided herein, all monies which are paid to, collected or received by Mortgagee in connection with or as the proceeds of insurance loss claims, condemnation awards, rents, leases, or sales, including a foreclosure sale, shall be applied by Mortgagee as follows: first, to payment of Mortgagee's costs including the costs of collection of said indebtedness and the foreclosure of this Mortgage and including any advances made by Mortgagee pursuant to Mortgagee's rights set forth herein and all expenses, real estate commissions and reasonable attorneys' fees incurred by Mortgagee; second, to payment to Mortgagee of interest, at the highest legal rate permitted by law to be charged by Mortgagee, on said costs from the date of such expenditures; and third, at option of Mortgagee to (a) restoration or repair of the Property, if applicable, or (b) to payment of interest due on the principal indebtedness, and the remainder, if any, to the principal indebtedness secured by this Mortgage. Unless Mortgagor and Mortgagee otherwise agree in writing, any such application of proceeds to principal shall not extend or postpone the due date of the installment payments in the Note or change the amount of such installments. Nothing in this paragraph shall in any way affect the lien of this Mortgage or the liability of the Mortgagor for payment of the entire balance of the indebtedness secured hereby.
- 32. Proceeds of Foreclosure Sale. If this Mortgage is foreclosed by a proper suit and the Property is sold to satisfy a decree of foreclosure, the proceeds of such sale shall be applied as follows: First, to the expenses and costs incurred hereunder. including reasonable attorneys' fees for such services as may be necessary in the premises and for the collection of said indebtedness and the foreclosure of this Mortgage; second, to the payment of whatever sum or sums the Mortgagee may have paid or become liable to pay in carrying out the terms and stipulations of this Mortgage, together with interest thereon; and finally, to the payment and satisfaction of the Note and other sums required to be paid under the Documents. The balance, if any, shall, unless the Court decrees otherwise, be paid into the registry of the Court having jurisdiction of said foreclosure suit, to be distributed by further order of said Court.
- 33. <u>Lien/Set Off.</u> The Obligors shall have no right of set off against the Mortgagee under this Mortgage or under any of the Documen's except for monies paid by Mortgagor to Mortgagee. The Mortgagee is hereby granted a lien upon the property of each Obligor now or at any time hereafter in the possession of the Mortgagee, in any capacity whatsoever, as additional security for the payment of the Note. The Mortgagee may apply any such funds or property or any portion(s) thereof to the payment of the debts without advance notice upon an event of default or at any time subsequent to the maturity of the Note (whether by acceleration or otherwise). The Mortgagee may utilize any order of application of such funds or property as Mortgagee may from time to time select.
- 34. Amounts Due. The Mortgagor, within five (5) days upon request in person or within ten (10) days upon request by mail, will furnish a written statement duly acknowledged of the amount due on this Mortgage and whether any defenses exist against the Mortgage debt.
- 35. <u>Notice</u>. Any written notice, demand or request that is required to be made hereunder or under the Note or under any other instrument of security for the Note shall be served in person or by registered or certified mail, return receipt requested, or by recognized overnight air courier (e.g. Federal Express), addressed to the party to be served at its address set forth above. Any

42. Waiver of Jury Trial. BY EXECUTING THIS MORTGAGE, MORTGAGOR KNOWINGLY, VOLUNTARILY AND INTENTIONALLY WAIVES ITS RIGHTS OR THE RIGHTS ITS HEIRS, ASSIGNS, SUCCESSORS OR PERSONAL REPRESENTATIVES MAY HAVE TO A TRIAL BY JURY IN ANY ACTION, PROCEEDING OR SUIT, WHETHER ARISING IN CONTRACT, TORT OR OTHERWISE, AND WHETHER ASSERTED BY WAY OF COMPLAINT, ANSWER, CROSSCLAIM, COUNTERCLAIM, AFFIRMATIVE DEFENSE OR OTHERWISE, BASED ON, ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS MORTGAGE AND SECURITY AGREEMENT OR ANY OTHER INSTRUMENT, DOCUMENT OR AGREEMENT TO BE EXECUTED IN CONNECTION HEREWITH OR WITH THE INDEBTEDNESS OR THE RENEWAL, MODIFICATION OR EXTENSION OF ANY OF THE FOREGOING OR ANY FUTURE ADVANCE THEREUNDER. THIS PROVISION IS A MATERIAL INDUCEMENT FOR MORTGAGEE EXTENDING CREDIT TO MORTGAGOR AND NO WAIVER OR LIMITATION OF MORTGAGEE'S RIGHTS HEREUNDER SHALL BE EFFECTIVE UNLESS IN WRITING AND MANUALLY SIGNED ON MORTGAGEE'S BEHALF.

Mortgagor acknowledges that the immediately above provision of this Paragraph 42 has been expressly bargained for by Mortgagee as part of the transaction with Mortgagor and that, but for Mortgagor's agreement thereto, Mortgagee would not have extended the loan for the terms and at the interest rates provided.

The undersigned certify that the execution of this Mortgage has been duly authorized by the Mortgagor.

PROVIDED ALWAYS HOWEVER, that if the Mortgagor shall pay unto the said Mortgagee the monies provided for in and by said Note or Notes and this Mortgage and shall well and truly keep, observe and perform, comply with and abide by each and every the stipulations, agreements, conditions and covenants thereof as and when required thereby then this deed and the estate hereby created shall cease and be null and void, otherwise the same shall remain of binding force and effect.

SIGNATURE PAGE FOLLOWS:

### EXHIBIT "A"

Lots 1, 2, 3, 7, 8 and 9, Block 16, less the West 15 feet of Lots 7, 8 and 9, South Okeechobee, according to the Plat thereof recorded in Plat Book 5, Page 7, Public Records of Okeechobee County, Florida.

Together with a portion of the unnamed alley in Block 16, South Okeechobee, according to the Plat thereof recorded in Plat Book 5, Page 7, Public Records of Okeechobee County, Florida, described as: Beginning at the Northeast corner of Lot 7; thence South 89 degrees 54' 47" East, a distance of 15.00 feet to a point lying on the Northwest corner of Lot 1; thence South 0 degrees 10' 19" East, passing along the Westerly boundary of Lots 1, 2 and 3, a distance of 149.89 feet (150.00 on plat recorded in Plat Book 5, Page 7, Public Records of Okeechobee County, Florida) to a point lying on the Southwest corner of Lot 3, thence North 89 degrees 53' 37" West a distance of 15.00 feet to a point lying on the Southeast corner of Lot 9; thence North 0 degrees 10' 19" West, passing along the Easterly boundary of Lots 9, 8 and 7, a distance of 149.97 feet (150.00 on Plat) to the Point of Beginning.





the property described herein, or (b) rents, revenues, income, profits or proceeds from leases, franchises, concessions or licenses of or on any part of the Property.

All contracts and contract rights of Mortgagor arising from contracts entered into in connection with development, construction upon or operation of the Property, including but not limited to contracts with general contractor(s), architects, engineers and other professionals and all plans, specifications, consents, approvals and permits prepared or obtained by any said professionals.

All Mortgagor's rights, title and interest in and to utility deposits, connection fees, reservation fees, reserve availability charges, system capacity charges or other similar type deposits or fees.

All Mortgagor's rights to any fictitious or other names or trade names used in conjunction with the said real and personal property.

All furniture, furnishings, appliances and equipment which are now used in order to operate the Property now or hereafter owned or acquired by the Mortgagor and now or hereafter located or installed at or in any other improvement on the Property or elsewhere at or on the Property, together with all accessories and parts now attached to or used in connection with any such Property or which may hereafter at any time be placed in or added thereto and also any and all replacements and proceeds of any such Property.

All present and future rents from the Property, and each and every part and parcel thereof, and also all present and future right, title and interest of the Mortgagor under and by virtue of each and every franchise, license, permit, lease, contract for deed or purchase and sale agreement, or any other document or contractual right, written or verbal, covering any part or parcel of the Property, whether now or hereafter made, and any and all amendments to or modifications, extensions or renewals thereof and all proceeds thereof; all present and future issues, profits, income, accounts, accounts receivable and the proceeds thereof of any business actually conducted by Mortgagor or through the use of the Property; all bank accounts and deposit accounts into which any of the proceeds of the foregoing are deposited; and proceeds of all the foregoing.

Proceeds of collateral are covered as provided in Sections 679.203 and 679.306 Florida Statutes. Products of collateral are covered.







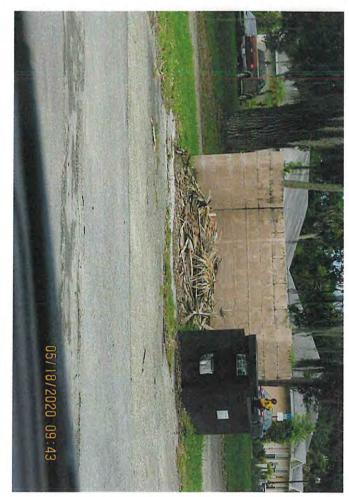






Exhibit # VII – M
Case Number 200413005
Graciela Segura

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Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 3-21-37-35-0170-00190-0160 | SINGLE FAM (000100) | 0.325 AC

	SOUTHWEST ADDITION	TO OKEE	CHOBEE (PLA	AT BOOK 2 PAG	GE 7) LOTS 1	6 & 17 BLOCK	19	NOV
	SEGURA GRACIELA & C	UADAL		1004				
Owner	1104 SW 10TH STREET OKEECHOBEE, FL 34974			Mkt Lnd	\$11,500	Appraised	\$76,004	Came
Site:	1104 SW 10TH ST. OKEECH	Ag Lnd	\$0	Assessed	\$76,004	Λ		
7016	9/1/1994	\$40,000 I(Q)	Bldg	\$63,680	Exempt	\$0	bac	
Sales Info	7/1/1986	\$35,500	1(Q)	XFOB	\$824		county:\$65,582	1500
	6/1/1984	\$22,000	1(0)	Just	\$76,004	Total Taxable	city:\$65,582 other:\$65,582 school:\$76,004	UK

Okeechobee County, FL

This information, was derived from data which was compiled by the Okeechobee County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.

GrizzlyLogic.com GrizzlyLogic.com

essica Animal Control 357-3205

http://alh akashahaana com/ais/aisDrint/ Piblic Alizi 6000

mailed inc 1/12/2020:



# Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

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VS

Respondent,

Graciela Segura

Date

05/19/2020

CASE NO. 200413005

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43 & Section 30-44
- 2. Address and Parcel# where violation exists:1104 SW 10th Street

3-21-37-35-0170-00190-0160

- Name and address of property owner or person in charge of location where violation exists:
   Graciela Segura 1104 SW 10th Street
- 4. Description of Violation: Section 30-43 Public Nuisance & 30-44 General Cleaning
  - & Beautification. Pig/Hog Feces Smell and Clean-up Debris in Yard
- 5. Date violation must be corrected by Jun 5, 2020
- 6. Date violation first observed on or about 4/13/20

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 9th day June Zuzu at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la sección 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelación sera archivada en el plazo de 30 días de la firma de la orden que se apelara.

# NOTICE TO APPEAR

(TRACIELA SEGURA

Respondent

Unless Respondent corrects the violation described herein, 30-043 - PUBLIC 2015ASK

30-644-GENERAL CLEANING - REAUTIFICATION

55 SE 3rd Avenue, Okeechobee, FL on the 9th violation(s) will be presented in the City Council Chambers, City Hall, verify compliance. NOTICE IS HEREBY GIVEN that the alleged By the date set forth AND contacts the undersigned Code Inspector to

of Cook Dated this 19 day of the month of MAY 20**20**, at 6:30pm

the year of 2020

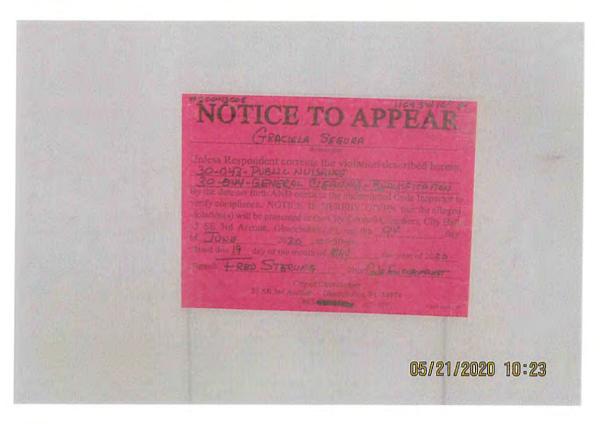
Signed: +RED STERUNG

Title: ( ol = EN FOR MORNT

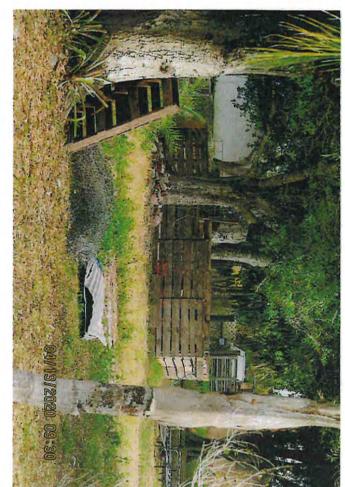
55 SE 3rd Avenue - Okeechobee, FL 34974 City of Okeechobee 863-467-1586 163-4795

Florida Statute 705









When I put window down for pictoris
The smell was very strong.

	1 12 0000
Street to the street of the st	Date: 4-13-2020
Re: 1104 SW 10th St / 20	0413005
Dear Property Owner,	
This is a courtesy card requesting your assistance in above address. The following violation(s) exist:	alleviating the following code violation(s) at the
Overgrown Weeds, Grass, Bushes or Shrubs	Unauthorized Signs, Flags or Banners
☐ Trash, Yard Debris or Junk	Operating a Business Without Required License
☐ Inoperable, Abandoned or Unlicensed Vehicle	☐ Pool Violation
☐ International Property Maintenance Code Ch	Sec
Other Chapter 30 Section 301	13 Public Noisance
multiple complaints of 5	mell from hopp. I took
pictures from the street an	ed could 5 men it. (see
attached Photos - clean-u	
Please contact our office at (863) 763-2626 with	in days of receipt of this card and let us know d. We appreciate your cooperation.
when violation(s) will be correcte	a. We appreciate your cooperation.



### Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795/Fax 863-763-7804



## NOTICE OF VIOLATION

Graciela Segura	<sup>case#</sup> 200413005		
Address 1104 SW 10th Street	Okeechobee	State F1	34974
Address of Violation 1004 SW 10th Street	Okeechobee	State F1	34974

Parcel#

3-21-37-35-0170-00190-0160

The undersigned Code Enforcement Officer based upon personal investigation determines that reasonable cause exists that only or about April 13, 2020 the above named person(s) violated provisions of Okeechobee City Ordinance 30-43

Code		Description	Code		Description
30-41		Inoperable/Abandoned Vehicle.	70-302		Unautorized use of Land and/or Building
30-44		Trash and debris.	70-251		Construction without Building Permit
90-568		Prohibited signs.	90-30		Setback violation or required yard encroachment.
30-33		Pool Violation	54-41		Obstruction of Right of Way
90-172		Unauthorized Occupancy of RV.	70-302		Unauthorized Number of Dwellings per lot or parcel
90-573		Unauthorized Flag or Banner,	66-10		Fire and Life Safety Violation
30-44		Overgrown Weeds, Grass Bushes or Shrubs.	30-43	1	Public Nuisance
	V	Other	30-32		Littering
50-32		Operating Business without Required License	54-51		Commercial vehicles stored in residential zoned area
90-633		Business in Residential Zoning District	66-10		Condition which constitutes a safety hazard.

### Corrective Action Necessary:

Multiple complaint of the smell (odor) of hog/pig feces. Please clean-up feces. Will check again on Friday

### Should you have any questions, please contact Code Enforcement at (863) 763-9795

Failure to correct the items described in the notice within 14 Days may result in a summons to appear before the Code Enforcement Special Magistrate and subject you to a fine up to \$250.00 per day, or may result in the issuance of a citation which will be heard in County Court. If Violation is Corrected you must notify Code Enforcement at the above listed phone number 863-763-9795.

Warning: This notice does not constitute a building permit or authorization to proceed with activities requiring a building permit or development order. If you are uncertain whether permits are required, contact code enforcement at the number below. Be sure to bring this notice with you or have it available when you call.

Code Officer Fred Sterling



Grantee SS Number: 2-21-37-25-0170-00190-0160

### WARRANTY DEED

This Indenture made this Sydny of September, 1994, BETWEEN

CHARLES R. TINGLE, a single man, and DIANA F. TINGLE, a single woman, of 1104 S.W. 10th Street, Okcechobce, FL 34974 GRANTOR",

GRACIELA SEGURA, a single woman, and GUADALUPE VANESSA ORTIZ, a single woman, of 3625 N.W. 5th Street, Okecchobee, FL 34972 GRANTEE\*,

WITNESSETH, That said Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations to said granter in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the grantee and grantee's heirs forever the following described land located in the County of Okeechobee, State of Florida, to-wit:

LOTS 16 AND 17, BLOCK 19, SOUTHWEST ADDITION TO OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 7, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.

SUBJECT TO restrictions, reservations and easements of record, if any,

Documentary Stamps paid in the amount of

Due Clark De 9-16-94 Clerk of Circuit Court

265382

FILED FOR RECORD OKERCHE, JACOS FL. 94 SEP 16 Pil 1: 25

GLORIA J. PORT CLERK OF CIRCUIT COURT

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

\*Singular and plural are interchangeable as context requires.

Thompson

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above

COUNTY OF Okerchobec STATE OF FLORIDA

The foregoing instrument was ecknowledged before me this DIANA F. TINGLE, a single woman, who is () personally known and who () did () did not take an oath.

NOTARY

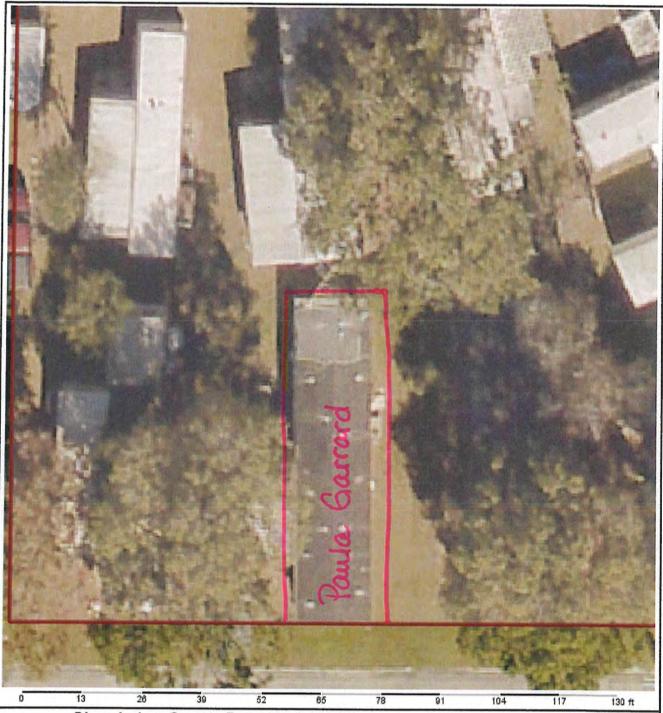
ICARIN HAY

Prepared By and Return To: JOHN D. CASSELS, JR., ESQ. Cassels & McColl Post Office Box 968 Okeceliober, Florida 34973

(813) 763-3131 File Number: 94-5677

Exhibit # VII – N
Case Number 200520004
Paula Garrard

# 200520004



# Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 3-22-37-35-0030-000A0-0010 | RV/MH,PK L (002800) | 0.999 AC

CENTRAL PARK, AN ADDITION TO THE CITY OF OKEECHOBEE (PLAT BOOK 2 PAGE 39) LOTS 1 & 2, LOT 3 LESS W 5 FT LOT 6 LESS W 5 FT, LOTS 7 & 8 BLOCK A

	OKEECHOBEE TRAILE	R & FIS	HING R	2019 Certified Values					
Owner	: 1411 SW 5TH AVE OKEECHOBEE, FL 34974			Mkt Lnd	\$134,133	Appraised	\$139,568		
Site:	516 SE 4TH ST, OKEECHO	BEE		Ag Lnd	\$0	Assessed	\$139,568		
Sales Info	2/28/2013	\$185,000 \$0	I (Q) V (Q)	Bldg	\$5,435	\$5,435 Exempt	\$0		
	2/12/1980			XFOB	\$0		county:\$118,996		
	3/16/1978 \$10,000	V (Q)	Just	\$139,568	Total Taxable	city:\$118,996 other:\$118,996 school:\$139,568			



This information, was derived from data which was compiled by the Okeechobee County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.

GrizzlyLogic.com GrizzlyLogic.com



# Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Pet	itioner,	

VS

Respondent,

Paula Garrard

Date
Duit

05/20/2020

CASE NO. 200520004

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: IPMC 108.1.1,.3.5-302.1, .5-304.1, .7-305.1.1,.4 \$308.1, 309.1
- 2. Address and Parcel# where violation exists: 516 SE 4th Ave Lot 1B

3-22-37-35-0030-000A0-0010

3. Name and address of property owner or person in charge of location where violation exists:

Paula Garrard - 516 SE 4th Ave Lot 1B - Okeechobee

- 4. Description of Violation: IPMC See Attached Statutes
- 5. Date violation must be corrected by Jun 9, 2020
- 6. Date violation first observed on or about 5/19/20

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 9th day June 2020 at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter confidered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal anelacion sera archivada en el plazo de 30 dios de la sema de la calación

# NOTICE TO APPEAR

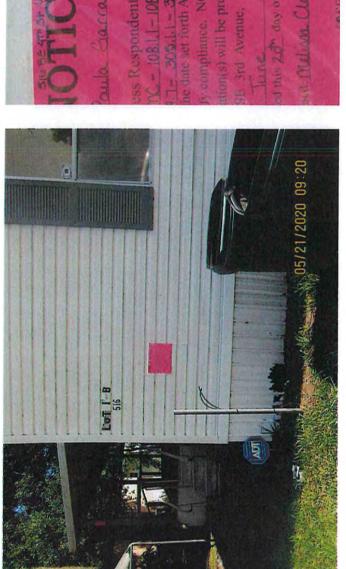
Paula Garrard

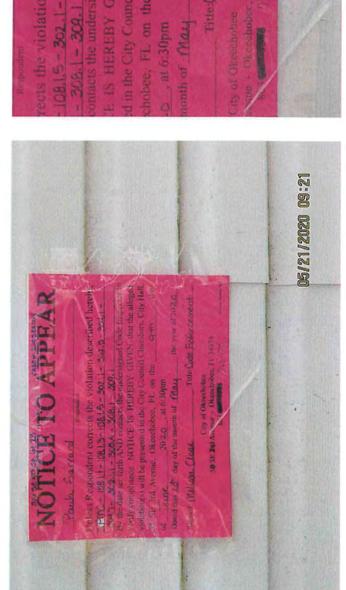
Respondent

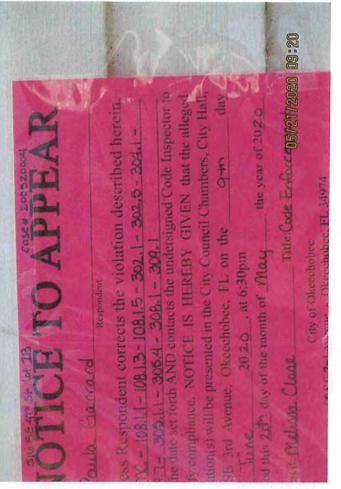
Signed: Melian Clone	Dated this 20 day of the month of Man	of June 20 20, at 6:30pm	55 SE 3rd Avenue, Okeechobee, FL on	violation(s) will be presented in the	verify compliance. NOTICE IS I	By the date set forth AND contacts	304.7- 305.1.1-305.4-308.1-309.1	IPMC - 108.1.1 - 108.1.3 - 108.1.5 - 302.1 - 302.5 - 304.1 -	Unless Respondent corrects t	
Title: Comp I Common	f May the year of 2020	6:30pm	, FL on the 9th day	violation(s) will be presented in the City Council Chambers, City Hall	verify compliance. NOTICE IS HEREBY GIVEN that the alleged	By the date set forth AND contacts the undersigned Code Inspector to	.1 - 309.1	5 - 302.1 - 302.5 - 304.1 -	Unless Respondent corrects the violation described herein,	

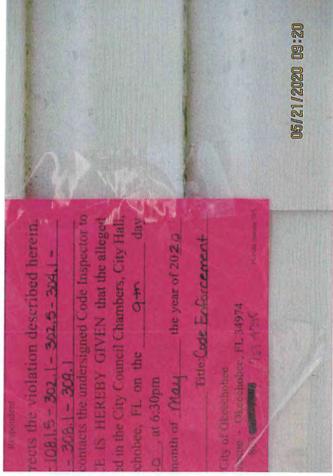
56 SE 3nd Avenue - Okeechobee, FL 34974 City of Okeechobee 863-167-1586 763 -4795

Florida Statute 70









NOTICE TO APPEAR

Youlo Corrects Respondent Respondent Respondent corrects the violation describes.

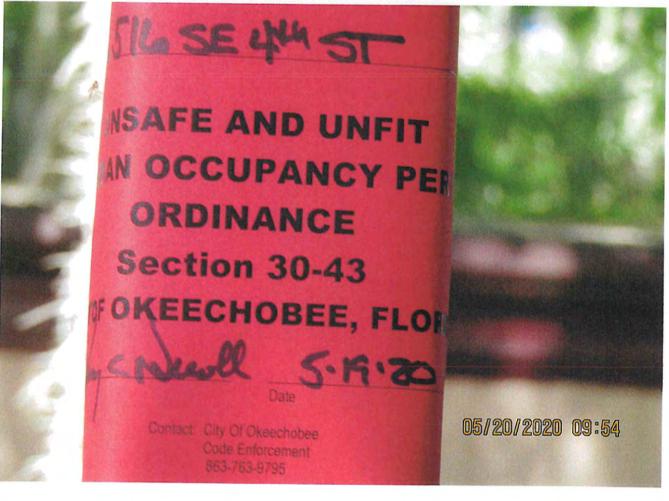
THE S. Respondent corrects the violation described herein PFC - 108.11 - 108.13 - 108.15 - 302.1 - 302.5 - 304.1 - 94.1 - 305.11 - 305.4 - 308.1 - 309.1 - 305.11 - 305.4 - 308.1 - 309.1 - 305.11 - 305.4 - 308.1 - 309.1

Thy compliance. NOTICE IS HEREBY GIVEN that the alle bations will be presented in the City Council Chambers, City 1 SE 3rd Avenue, Okcechobee, FL on the

his 2 th day of the month of Mary the year of the

Title Code Laborreach

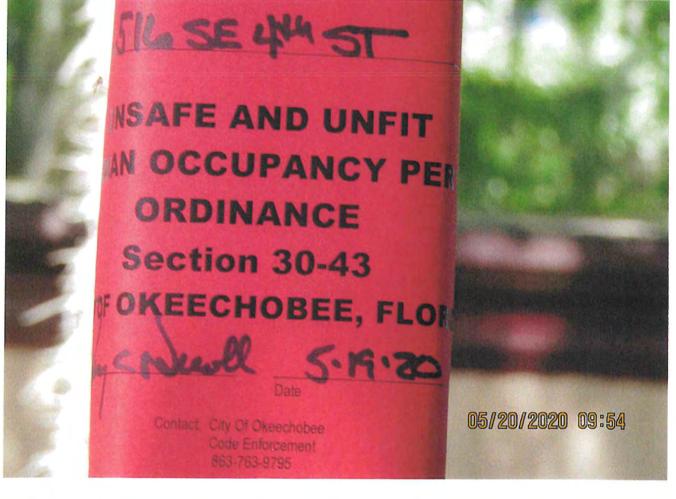




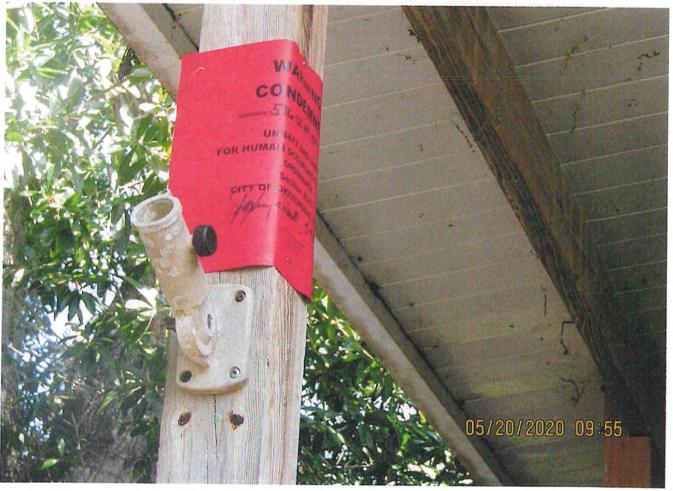














# STATE OF FLORIDA

# **DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Time printed: 5/20/2020 9:05:41 AM EST

DOB:

Race:

Sex:

# **Vehicle Details**

516 SE 4TH ST LOT B1

OKEECHOBEE, FL 34974

1ear. 1990	laigh	viake: Vin: FLFLS/0A23825SB21				
Vehicle [	Detail					
Color: UNKNOWN COLOR	Vehicle Type: MOBILE HOME	Vehicle Use: PRIVATE	Fleet/Unit:	Body: HOUSE TRAILER (MOBILE HOME)	Class Code: MOBILE HOME - GENERAL	
Brands:		elitetti tili kanaminatti lin sakkustikasiti qili khayyetiya Milli seriti yaziniya.		adorny in material contract and the special contract of the co	e etter et en se <sup>l</sup> anum, mulanus sett viti en til ette kunsta ann <mark>umper per ette un</mark> in åbe <b>ette</b> n. He etni vet vet vet vet vet vet ette ette ette	
<u> </u>		<b>Length:</b> 66' 0"		<b>Width:</b> 16' 0"		
Registra	tion					
License Plate:	icense Plate: Plate Issue Date:		Date:	Plate Type	Status: ACTIVE	
Effective Date: 01/20/2011	į.	Expiration Date: 12/31/2011		Registration Type: REGULAR	Registration Use: GENERAL	
<b>Decal Number /</b> 17603729/2011	1	Activity County: OKEECHOBEE		Activity Agency: OKEECHOBEE CO 57 AG 01		
Owners						
PAULA ARCHE			DL:			

G663661578760

Title Deta	E Marie Constant					
Title Number: 69683877	Title Status: TRANSFER	Title Type: Land Craft		Previous Title State:		ite:
Issue Date: 01/20/2011	Activity County: OKEECHOBEE	Activity Agency: OKEECHOBEE CO 57 AG 01		Previous Issue Date: 01/13/2006		
Owners						
PAULA ARCHER	GARRARD					
516 SE 4TH ST LOT B1 OKEECHOBEE, FL 34974			<b>DL:</b> G663661578760	DOB:	Race:	Sex:

Liens		
<b>Lien Holder Name</b> JOAN HARRIS ARCHER	<b>Lien Holder Address</b> 1010 KROUSE ST SEBRING, FL 33875	<b>Lien Date</b> 01/20/2011

Vehicl	e inst	rance	Inform	nation
--------	--------	-------	--------	--------

Pursuant to section 324.0221(1)(a) and 324.242, Florida Statutes, information regarding personal injury protection and property damage liability insurance policies held by the department is confidential.

Insurance is not on file. Does not mean uninsured.



# OKEECHOBEE POLICE DEPARTMENT

Officer Report for Incident 200519007

Nature: WELFARE CHECK

Address: 516 SE 4TH ST; LOT 1 B

Location:

**OKEECHOBEE FL 34974** 

Offense Codes: AMAS

Received By: T HARTWELL

How Received: T

Agency: OCPD

Responding Officers: A ALMAZAN, J BERNST

Responsible Officer: B TAYLOR

Disposition: ACT 05/19/20

When Reported: 14:20:00 05/19/20

Occurred Between: 14:19:45 05/19/20 and 14:19:45 05/19/20

Assigned To:

Detail:

Date Assigned: \*\*/\*\*/\*\*

Status:

**Status Date:** \*\*/\*\*/\*\*

Due Date: \*\*/\*\*/\*\*

Complainant:

Last:

First:

Mid:

DOB: \*\*/\*\*/\*\*

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

**Offense Codes** 

Reported: AMAS Ambulance or Medical Assist

Observed:

Additional Offense: AMAS Ambulance or Medical Assist

Circumstances

**Responding Officers:** 

Unit:

A ALMAZAN

7

J BERNST

3

Responsible Officer: B TAYLOR

Agency: OCPD

Received By: T HARTWELL

Last Radio Log: 14:36:07 05/19/20 CMPLT

How Received: T Telephone

Clearance: RTF Report to Follow

When Reported: 14:20:00 05/19/20

Disposition: ACT Date: 05/19/20

**Judicial Status:** 

**Occurred between:** 14:19:45 05/19/20

Misc Entry:

and: 14:19:45 05/19/20

Modus Operandi:

Description:

Method:

**Involvements** 

Date

Type

**Description** 

05/19/20 05/19/20

Name Cad Call GARRARD, PAULA ARCHER 14:20:00 05/19/20 Welfare Check

Victim Initiating Call

#### Narrative

# Okeechobee City Police Department Investigation Narrative

On 5/19/2020, I, Sgt Bettye Taylor was contacted by Lt Justin Bernst and asked to respond to 516 SE 4th St. reference living conditions of an elderly person. Upon my arrival I met with Fire Rescue, Lt Bernst, Connie Curry and Rodney Rucks. They advised that Paula Garrard had been home from the hospital about a week. Rodney Rucks advised she had not been returning phone calls so he came by the residence to do a welfare check. Due to her condition, he called for EMS and she was being taking back to the hospital. Garrard has had a long going health issues that require frequent hospitalization.

I was told that the home is uninhabitable and a health hazard to anyone who enters. The odor emitting from it was atrocious. At the back door leading thru the laundry room was black mold running up walls. There were rat feces every where. There was dog urine and feces in the floors. There were clothing laying in floors along with garbage, mail and other items. The back bedroom has a tarp over the room that has been across the roof for several years. The leaks in the roof had cause black mold on the walls, ceilings and floors. There were rotten spots all thru the home. There was a rotten spot in the wood in front of the kitchen sink. The front room was full of stuff with what looked like rat feces every where.

Connie Curry said she had arranged for assisted living arrangements when Paula was in hospital a week ago but she refused to go. Curry said Paula had contacted her asking for her to come remove all rats. Curry said she was to afraid to go around rats.

Lt Bernst contacted City Code Enforcement who also called City Inspector Jeff Newell to the scene. Upon arrival and reviewing the situation he advised this home was not fit for human habitat. He advised Code Enforcement to contact the health department.

Curry took the small dog that was in the home with her. She asked us to place the gun Taurus Ultra Lite YK20563 enclased in a green bag that was lying by the TV into our evidence room for safe keeping.

Case turned over to City Code Enforcement and Inspection. This report will also be forwarded to Elderly Abuse and Neglect as Garrard is no longer able to care for herself.

Sgt Taylor

Officer Report for Incident 200519007	Page 4 of 6		
Approved by:			
Date			

--------

# Supplement

CAD Call info/comments

ELDERLY FEMALE FELL OUTSIDE

14: 21: 18 05/19/2020 - T HARTWELL

Address change from 516 SE 4TH ST; LOT 9; 1 B to 516 SE 4TH ST; LOT 1 B

# Name Involvements:

Victim: 441

Race: W

Last: GARRARD

**DOB:** 10/16/57

First: PAULA

**Dr Lie:** G663661578760

Mid: ARCHER

Address: 516 SE 4TH ST; LOT 1B
City: OKEECHOBEE, FL 34972

Sex: F Phone: ()-

05/19/20

# **International Property Maintenance Code Violations for Case # 200520004:**

# Paula Garrard

615 Southeast 4th Street Lot 1B

Okeechobee, Florida 34974

- 1. Section 108 [A] 108.1.1 Unsafe Structures
- 2. Section 108 [A] 108.1.3 Structure Unfit for Human Occupancy
- 3. Section 108 [A] 108.1.5 Dangerous Structure or Premises
- 4. Section 302 302.1 Sanitation
- 5. Section 302 302.5 Rodent Harborage
- 6. Section 304 304.1.1 Unsafe Conditions
- 7. Section 304 304.7 Roofs and Drainage
- 8. Section 305 305.1.1 Unsafe Conditions
- 9. Section 305 305.4 Stairs and Walking Surfaces
- 10. Section 308 3081 Accumulation of Rubbish or Garbage
- 11. Section 309 309.1 infestation

# [A] 106.3 Prosecution of violation.

Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

# [A] 106.4 Violation penalties.

Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

# [A] 106.5 Abatement of violation.

The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

#### SECTION 107

# NOTICES AND ORDERS

# [A] 107.1 Notice to person responsible.

Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.

#### [A] 107.2 Form.

Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

- 1. Be in writing.
- 2. Include a description of the real estate sufficient for identification.
- 3. Include a statement of the violation or violations and why the notice is being issued.
- Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
- 5. Inform the property owner or owner's authorized agent of the right to appeal.
- Include a statement of the right to file a lien in accordance with Section 106.3.

# [A] 107.3 Method of service.

Such notice shall be deemed to be properly served if a copy thereof is:

- Delivered personally;
- 2. Sent by certified or first-class mail addressed to the last known address; or
- If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

# [A] 107.4 Unauthorized tampering.

Signs, tags or seals posted or affixed by the code official shall not be mutilated, destroyed or tampered with, or removed without authorization from the code official.

# [A] 107.5 Penalties.

Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

# [A] 107.6 Transfer of ownership.

It shall be unlawful for the *owner* of any *dwelling unit* or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* <u>or the owner's authorized agent</u> shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

#### **SECTION 108**

#### UNSAFE STRUCTURES AND EQUIPMENT

# [A] 108.1 General.

When a structure or equipment is found by the *code official* to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code.

# [A] 108.1.1 Unsafe structures.

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

# [A] 108.1.2 Unsafe equipment.

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

# [A] 108.1.3 Structure unfit for human occupancy.

A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

# [A] 108.1.4 Unlawful structure.

An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

# [A] 108.1.5 Dangerous structure or premises.

For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

- 1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
- 2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
- Any portion of a building, structure or appurtenance that has been damaged by fire. earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
- 4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored. attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
- 5. The building or structure, or part of the building or structure, because of dilapidation. deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
- 6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

- 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
- 8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
- 9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
- Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.
- 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

# [A] 108.2 Closing of vacant structures.

If the structure is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up so as not to be an attractive nuisance. Upon failure of the *owner* <u>or owner's authorized agent</u> to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and <u>may\_shall</u> be collected by any other legal resource.

#### [A] 108.2.1 Authority to disconnect service utilities.

The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when where such utility connection has been made without approval. The code official shall notify the serving utility and, whenever possible, the owner or owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner owner, owner's authorized agent or occupant of the building structure or service system shall be notified in writing as soon as practical thereafter.

# **CHAPTER 3**

# **GENERAL REQUIREMENTS**

#### **SECTION 301**

#### GENERAL

# 301.1 Scope.

The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and *exterior property*.

#### 301.2 Responsibility.

The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which \_\_that are not in a sanitary and safe condition and which \_\_that do not comply with the requirements of this chapter.

Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

# 301.3 Vacant structures and land.

All-vacant Vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

#### **SECTION 302**

# **EXTERIOR PROPERTY AREAS**

#### 302.1 Sanitation.

All exterior <u>Exterior</u> property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which <u>that</u> such occupant occupies or controls in a clean and sanitary condition.

#### 302.2 Grading and drainage.

All premises Premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved retention areas and reservoirs.

#### 302.3 Sidewalks and driveways.

All sidewalks, Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.



#### 302.4 Weeds.

All premises Premises and exterior property shall be maintained free from weeds or plant growth in excess of [JURISDICTION TO INSERT HEIGHT IN INCHES]. All nexious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

#### 302.5 Rodent harborage.

All structures Structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which that will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

#### 302.6 Exhaust vents.

Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

# 302.7 Accessory structures.

All accessory Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

#### 302.8 Motor vehicles.

Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any *premises*, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

**Exception:** A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purposes.

# 302.9 Defacement of property.

No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.



#### **SECTION 303**

# SWIMMING POOLS, SPAS AND HOT TUBS

# 303.1 Swimming pools.

Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

#### 303.2 Enclosures.

Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least\_not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is a minimum of \_not less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

**Exception:** Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

#### **SECTION 304**

#### **EXTERIOR STRUCTURE**

#### 304.1 General.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

#### 304.1.1 Unsafe conditions.

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

- The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
- The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
- 3. Structures or components thereof that have reached their limit state;
- Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
- Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects;

- Foundation systems that are not firmly supported by footings, are not plumb and free
  from open cracks and breaks, are not properly anchored or are not capable of
  supporting all nominal loads and resisting all load effects;
- Exterior walls that are not anchored to supporting and supported elements or are not
  plumb and free of holes, cracks or breaks and loose or rotting materials, are not
  properly anchored or are not capable of supporting all nominal loads and resisting all
  load effects;
- 8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
- Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects;
- Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchoredwith connections not capable of supporting all nominal loads and resisting all load effects;
- 11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
- 12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects; or
- Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchoredwith connections not capable of supporting all nominal loads and resisting all load effects.

#### **Exceptions:**

- 1. When 1. Where substantiated otherwise by an approved method.
- 2. Demolition of unsafe conditions shall be permitted when where approved by the code official.

# 304.2 Protective treatment.

All exterior Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding \_\_Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal \_\_Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all-surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

## [F] 304.3 Premises identification.

Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be aminimum of not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

# 304.4 Structural members.

All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

#### 304.5 Foundation walls.

All-foundation Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

#### 304.6 Exterior walls.

All exterior Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

# 304.7 Roofs and drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

#### 304.8 Decorative features.

All-cornices, Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

#### 304.9 Overhang extensions.

All overhang Overhang extensions including, but not limited to to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.



# 304.18 Building security.

Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

#### 304.18.1 Doors.

Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

#### 304.18.2 Windows.

Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device.

# 304.18.3 Basement hatchways.

Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

#### 304.19 Gates.

All exterior Exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

#### **SECTION 305**

# INTERIOR STRUCTURE

# 305.1 General.

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.

# 305.1.1 Unsafe conditions.

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

- The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
- The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;



- 3. Structures or components thereof that have reached their limit state;
- Structural members are incapable of supporting nominal loads and load effects;
- 5. Stairs, landings, balconies and all similar walking surfaces, including guards and handrails, are not structurally sound, not properly anchored or are anchored with connections not capable of supporting all nominal loads and resisting all load effects:
- Foundation systems that are not firmly supported by footings are not plumb and free
  from open cracks and breaks, are not properly anchored or are not capable of
  supporting all nominal loads and resisting all load effects.

# **Exceptions:**

- 1. When 1. Where substantiated otherwise by an approved method.
- Demolition of unsafe conditions shall be permitted when approved by the code official.

#### 305.2 Structural members.

All structural Structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

#### 305.3 Interior surfaces.

All interior Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

#### 305.4 Stairs and walking surfaces.

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

#### 305.5 Handrails and guards.

Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

#### 305.6 Interior doors.

Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

#### **SECTION 308**

# RUBBISH AND GARBAGE

# 308.1 Accumulation of rubbish or garbage.

All exterior <u>Exterior</u> property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

#### 308.2 Disposal of rubbish.

Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

# 308.2.1 Rubbish storage facilities.

The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

#### 308.2.2 Refrigerators.

Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on *premises* without first removing the doors.

#### 308.3 Disposal of garbage.

Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

#### 308.3.1 Garbage facilities.

The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leakproof, covered, outside garbage container.

# 308.3.2 Containers.

The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

#### **SECTION 309**

#### PEST ELIMINATION

## 309.1 Infestation.

All structures Structures shall be kept free from insect and rodent infestation. All structures Structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.



# 309.2 Owner.

The *owner* of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.

#### 309.3 Single occupant.

The *occupant* of a one-family dwelling or of a single-*tenant* nonresidential structure shall be responsible for pest elimination on the *premises*.

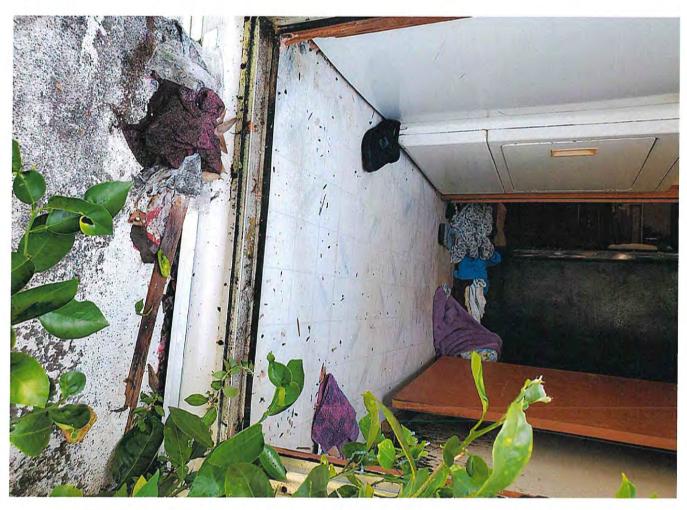
# 309.4 Multiple occupancy.

The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for pest elimination.

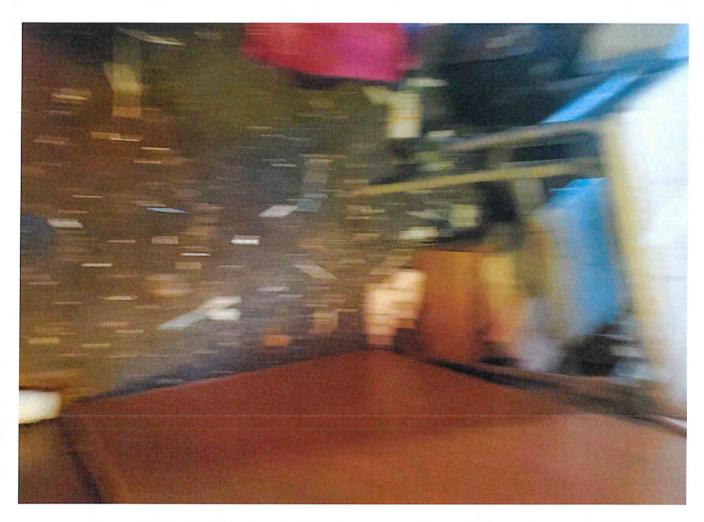
# 309.5 Occupant.

The *occupant* of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

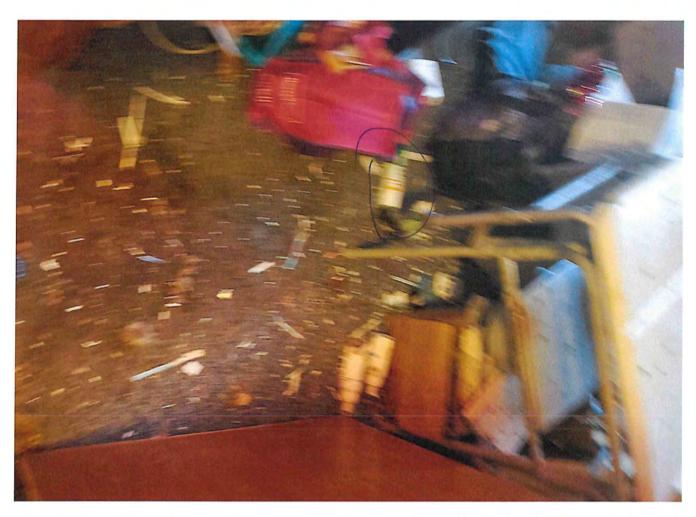
**Exception**: Where the *infestations* are caused by defects in the structure, the *owner* shall be responsible for pest elimination.



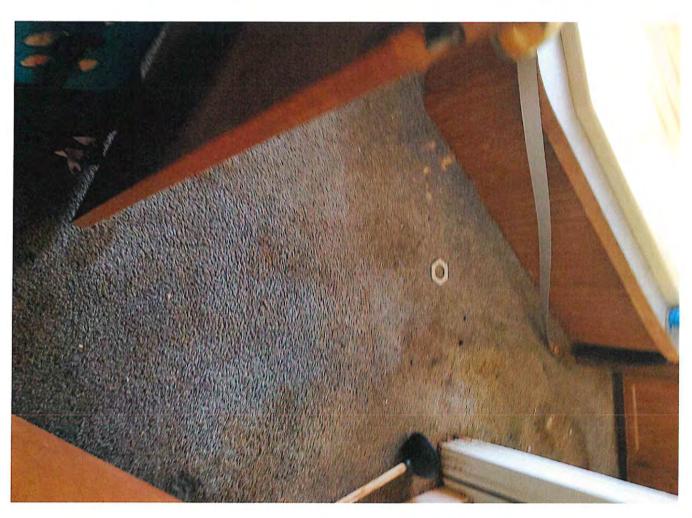


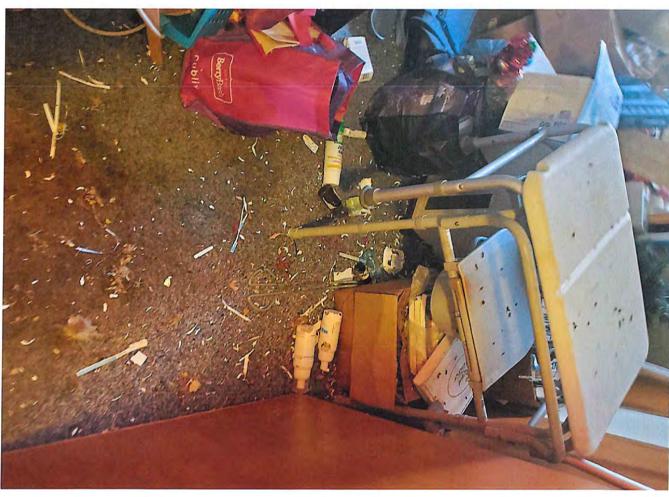


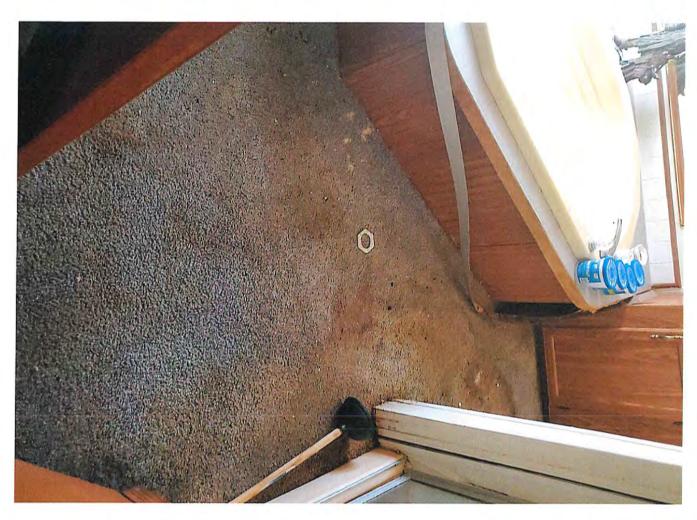


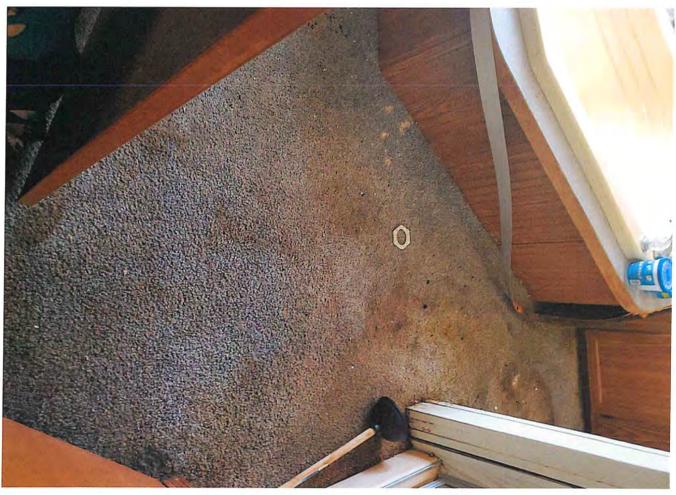






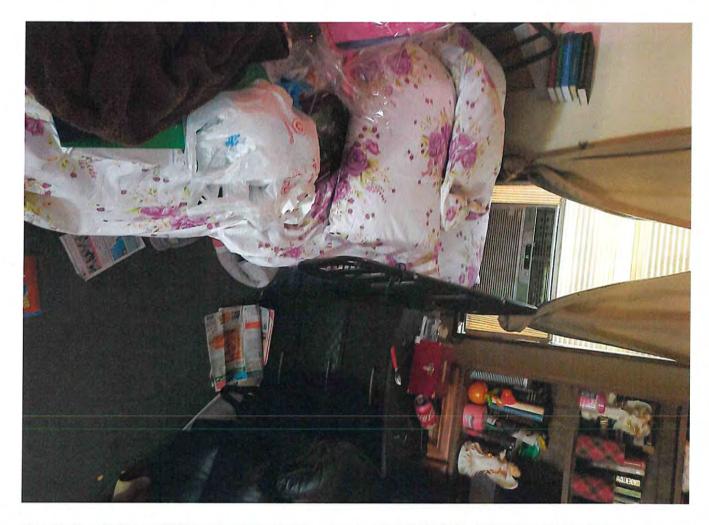




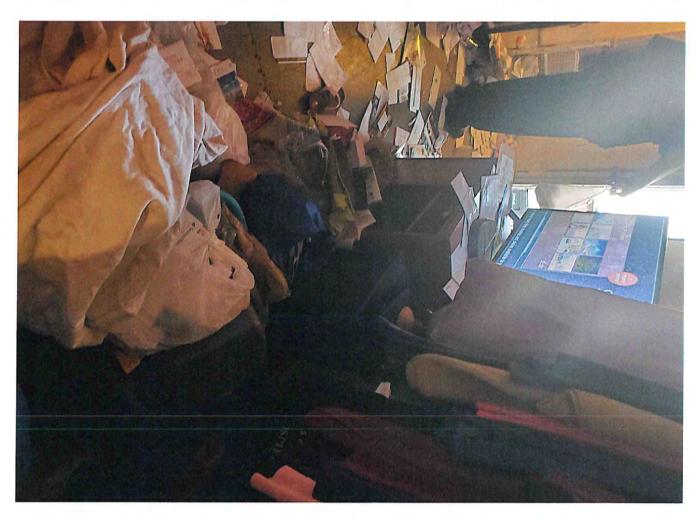


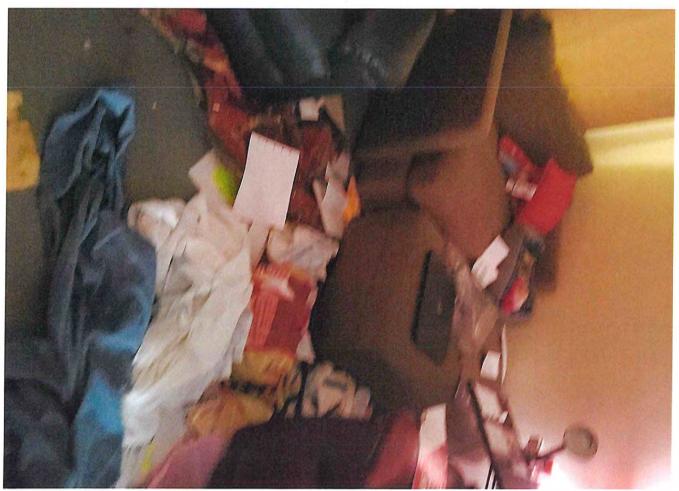


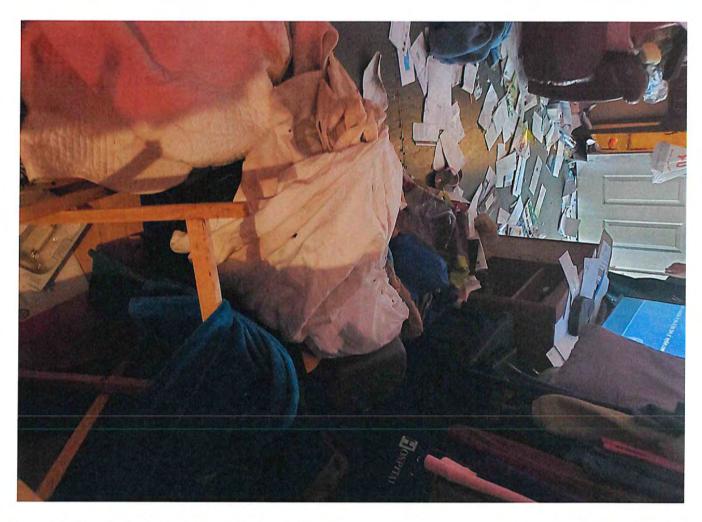








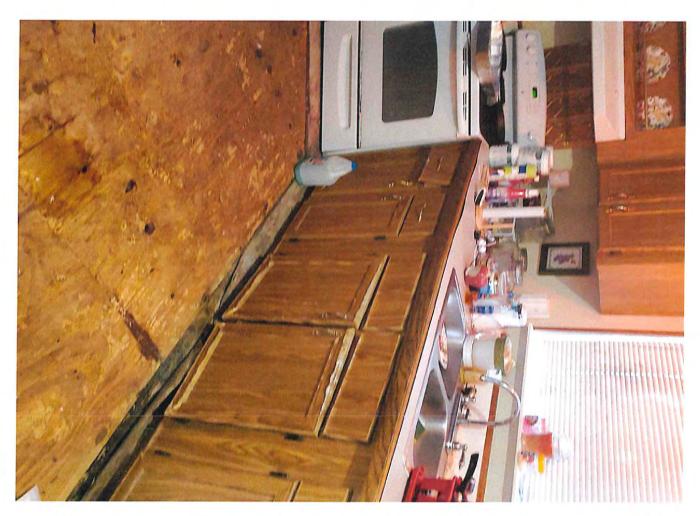


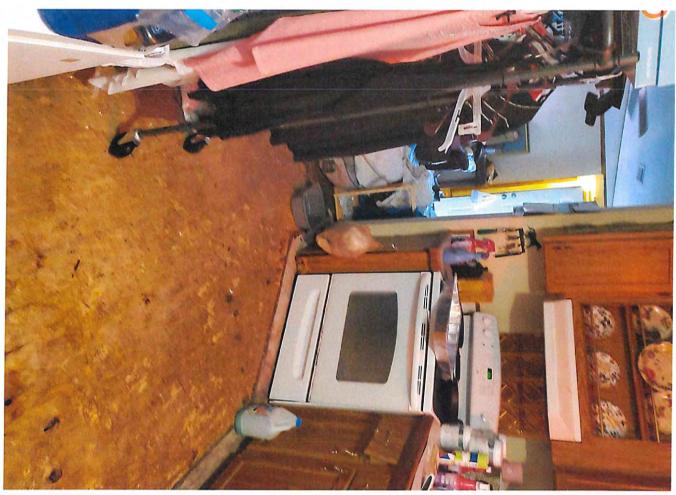


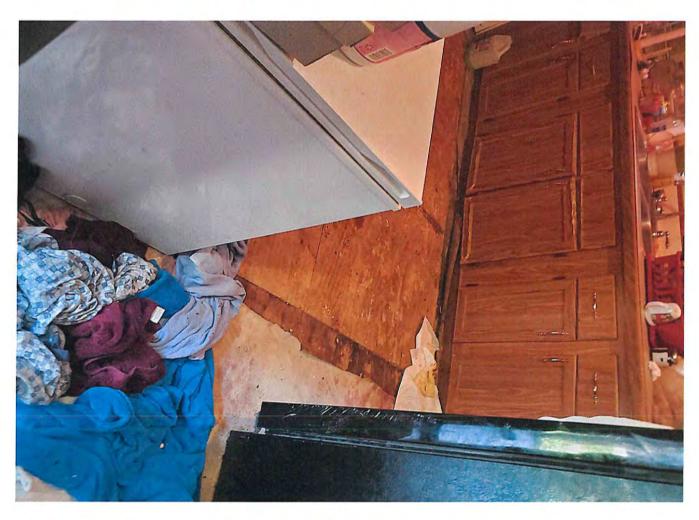








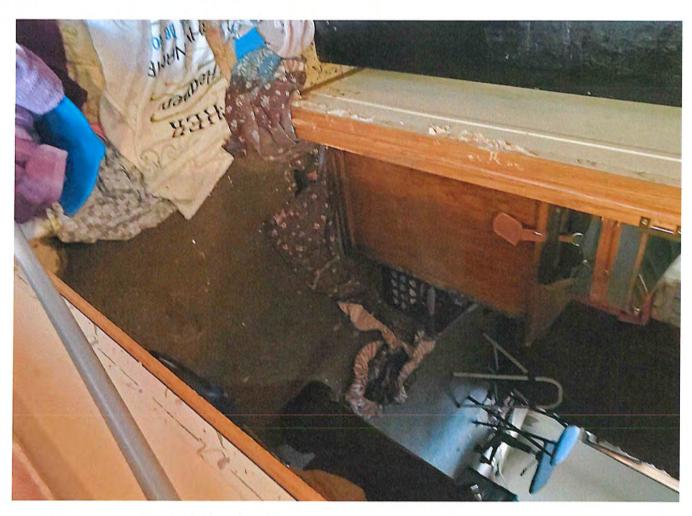


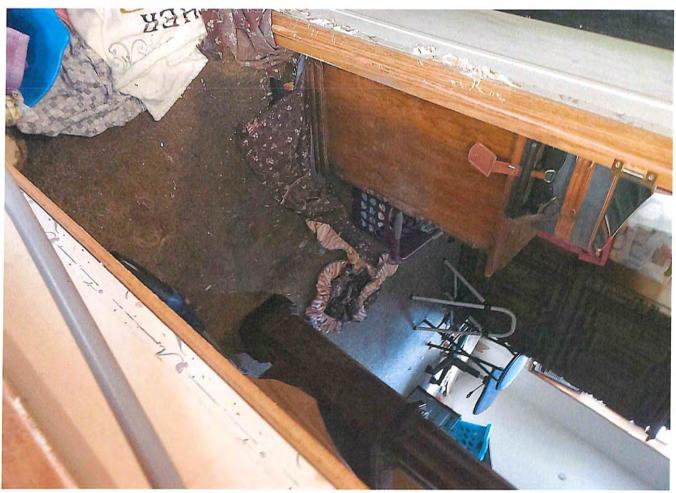




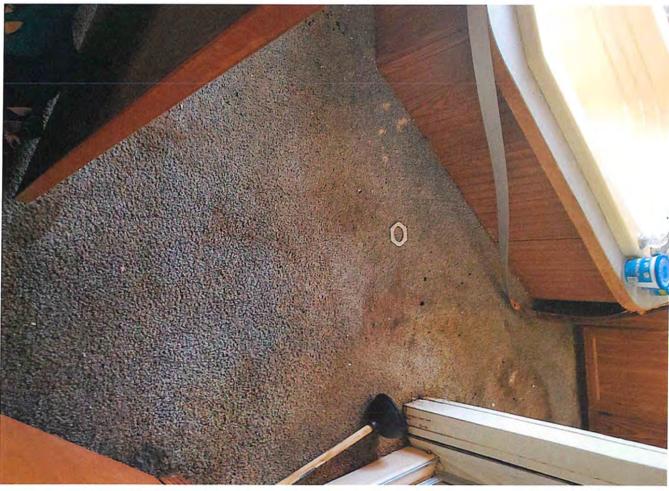


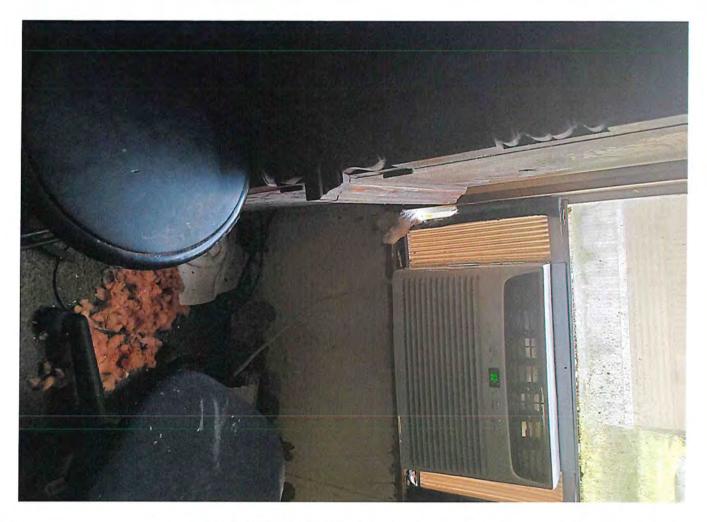










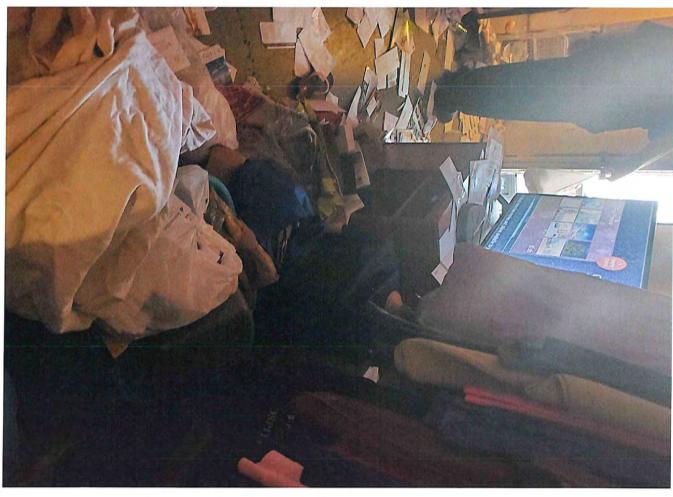




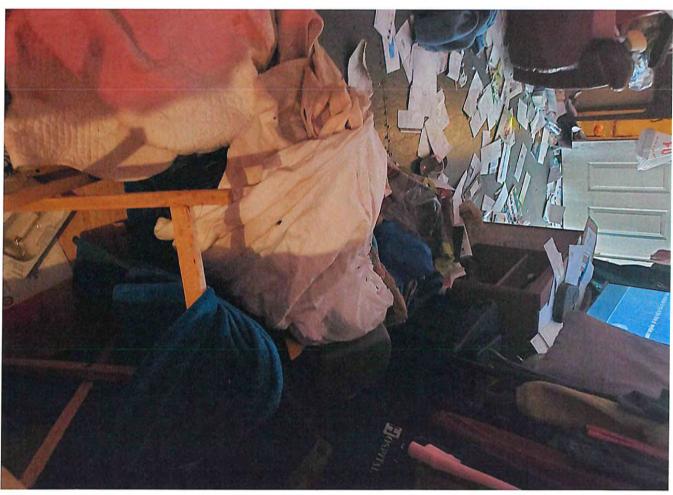




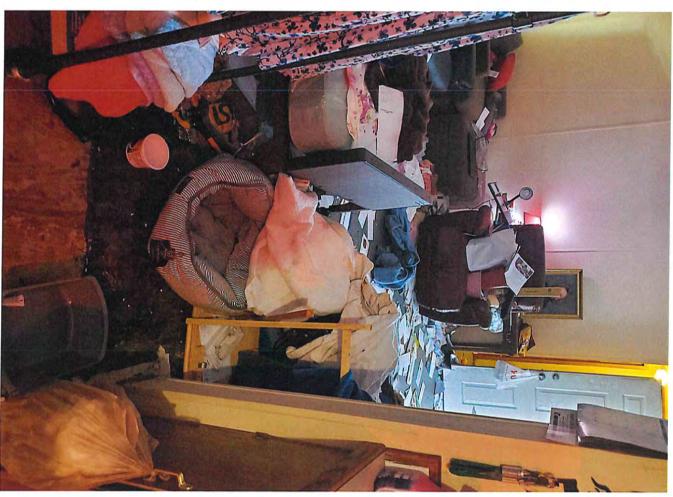




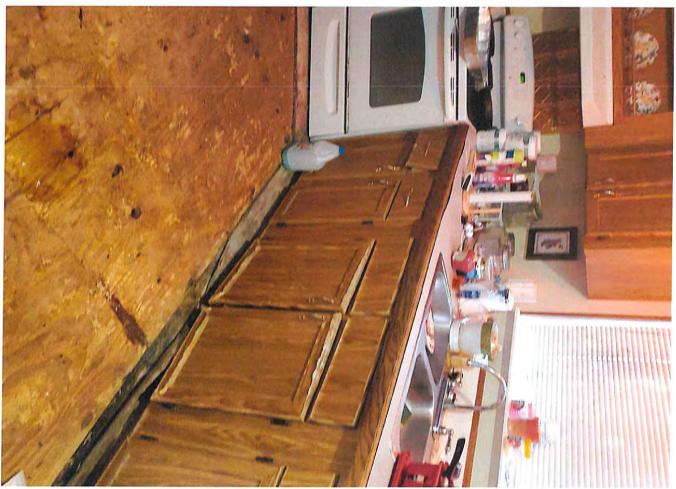


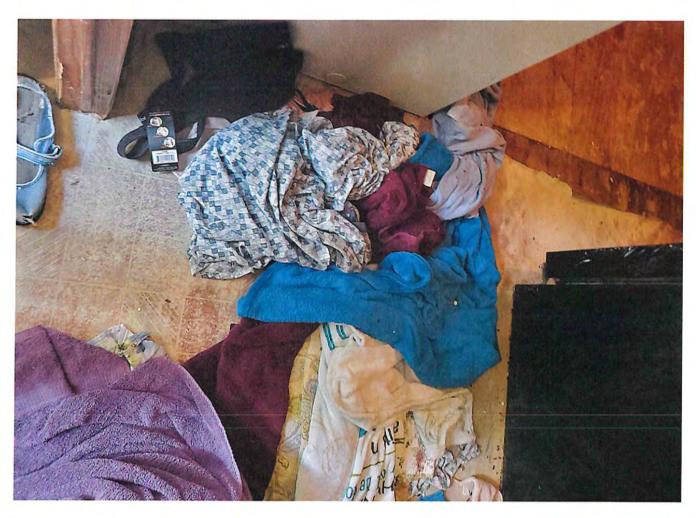


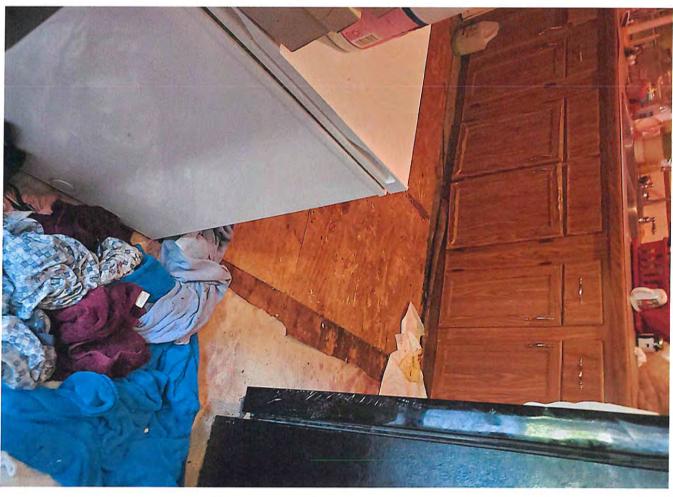


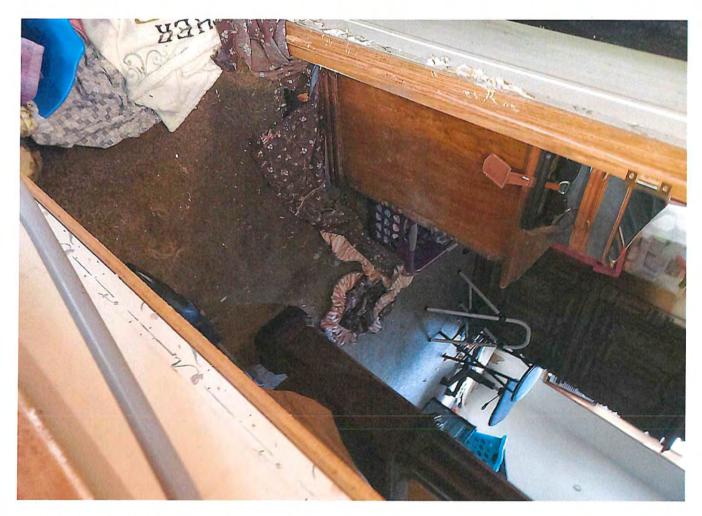




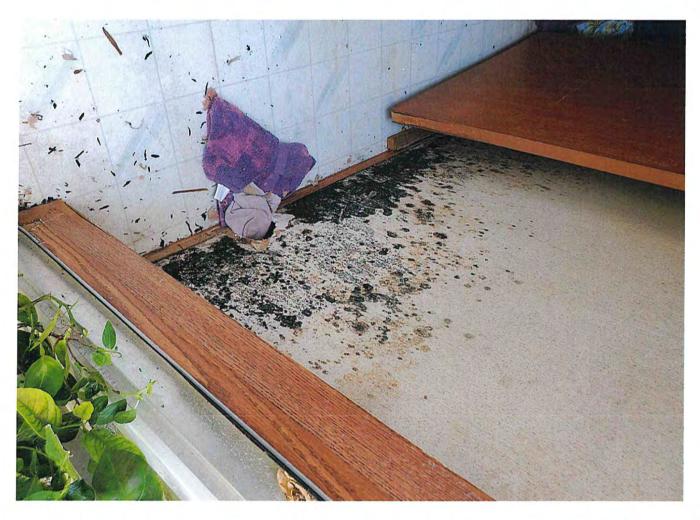


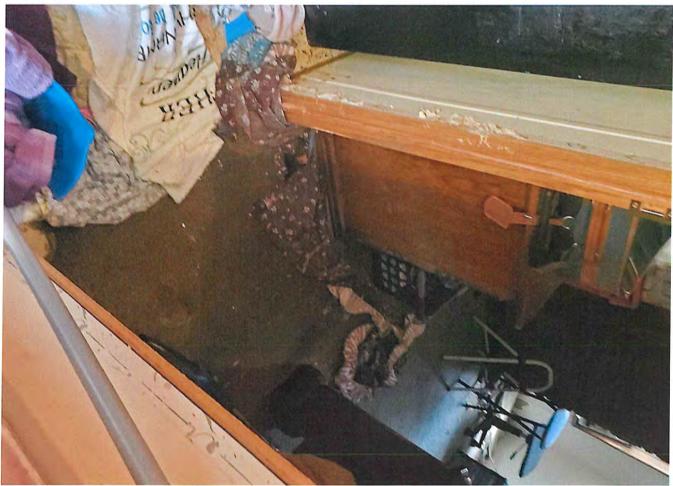




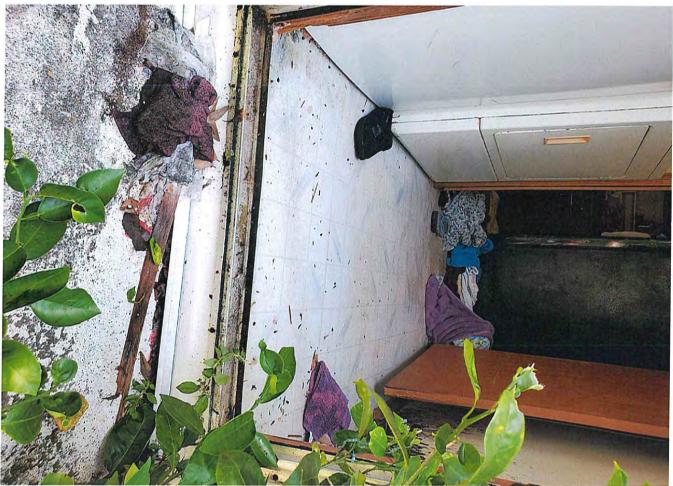


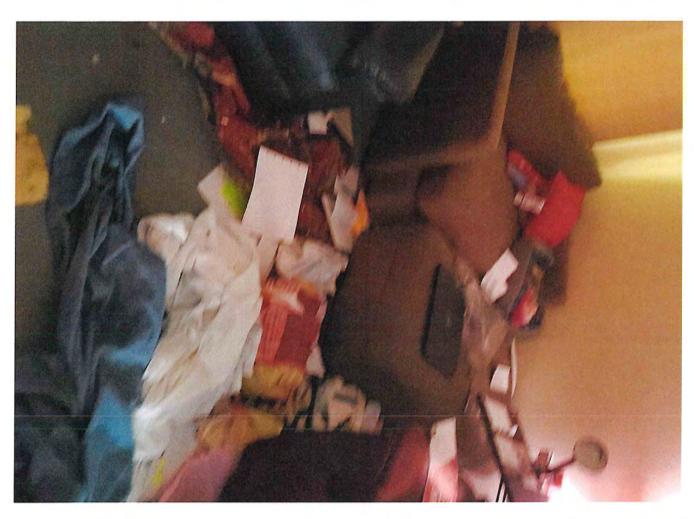


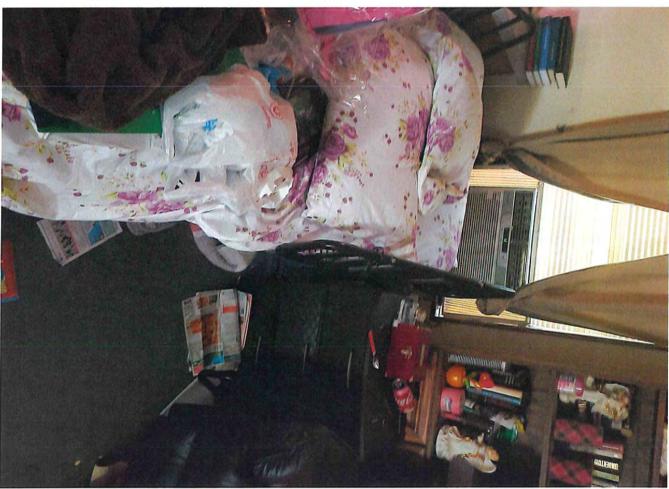


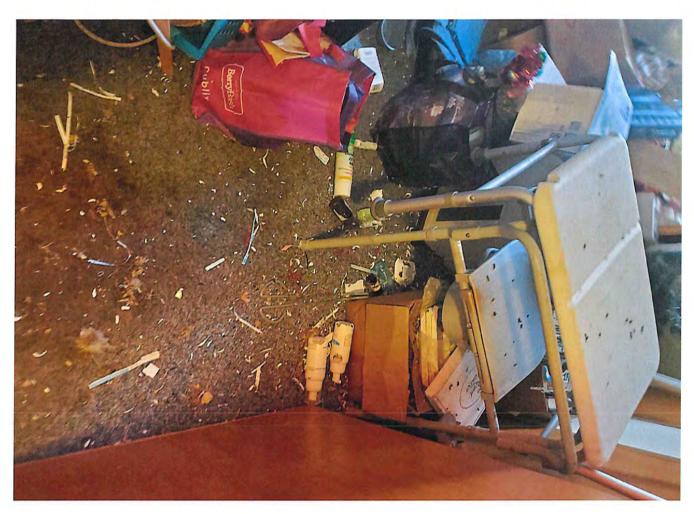














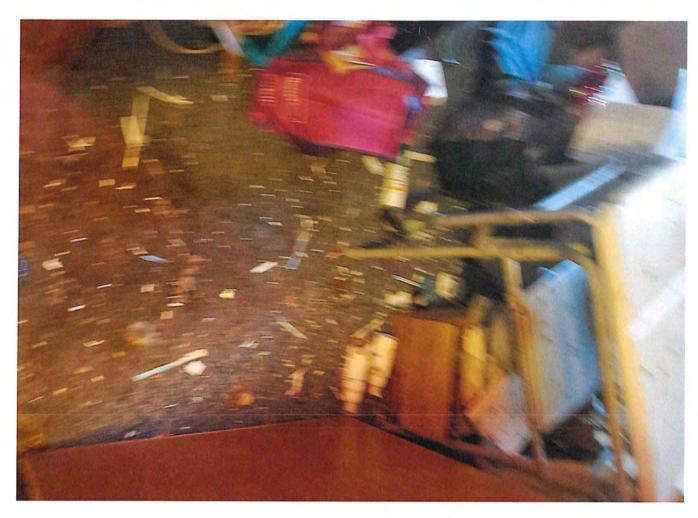




Exhibit # VII – O
Case Number 200406017
Joseph Danna



## Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 2-22-37-35-0A00-00025-A000 | MOBILE HOM (000200) | 0.286 AC

UNPLATTED LANDS OF THE CITY TRACT 13 & S 10 FT OF TRACT 14; BEG 834.30 FT N OF THE SW COR OF GOVT LOT 6 THENCE N ALONG THE W BDRY LINE OF GOVT LOT 6 D

	DANNA JOSEPH A			2019 Certified Values			
Owner	3281 BOTTNE	RRD	Mkt Lnd	\$16,830 \$0	Appraised Assessed	\$47,125 \$47,125	
	GAMBRILLS, I	MD 21054214	6 Ag Lnd				
Site:	505 SE 6TH A		Bldg	\$23,512	Exempt	\$0	
	OKEECHOBE		XFOB	\$6,783		county:\$46,943	
Sales Info	6/10/2004 11/14/2002 5/30/1997	\$75,000 I (0 \$70,000 I (0 \$66,000 I (0	oj Just	\$47,125	Total Taxable	city:\$46,943 other:\$46,943 school:\$47,125	

Okeechobee County, FL

This information, was derived from data which was compiled by the Okeechobee County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.

GrizzlyLogic.com GrizzlyLogic.com

	Date: 4-7-2020			
Re: 505 58 lots Que /	200406017			
Dear Property Owner,				
This is a courtesy card requesting your assistance in above address. The following violation(s) exist:	alleviating the following code violation(s) at the			
Overgrown Weeds, Grass, Bushes or Shrubs	Unauthorized Signs, Flags or Banners			
Trash, Yard Debris or Junk	Operating a Business Without Required License			
Inoperable, Abandoned or Unlicensed Vehicle	☐ Pool Violation			
☐ International Property Maintenance Code Ch	Sec			
Other Chapter 30 Section 3	0-43 Public Noisance			
Section 30-44 General CI	leaning + Section 30-41			
Expired Tag ( See Photo	3			

Please contact our office at (863) 763-2626 within \_\_\_\_\_ days of receipt of this card and let us know when violation(s) will be corrected. We appreciate your cooperation.

#### Sec. 30-43. - Public nuisances.

- (a) "Public nuisance" as defined in this section, means the existence of excessive accumulation of litter or untended vegetation, garbage, weeds, or other dead or living plant life; or places holding stagnant water, and all other objectionable, unsightly or unsanitary matter upon any lot, track of land within the city, whether uncovered or under shelter, to the extent and in the manner that such lot or parcel of land is, or may reasonably become infested or inhabited by rodents, vermin or wild animals, or may furnish a breeding place for mosquitoes, or threatens or endangers the public health, safety or welfare, including such condition causing or tending to cause disease, or by reason of such a condition, tends to impair the economic welfare of adjacent property; including abandoned or junk property as defined by this article; unsightly, derelict or unsafe building or structure which may constitute a hazard to safety, health, welfare or sense of public aesthetics by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.
- (b) All nuisances are declared to be a public nuisance and illegal within the municipal boundaries of the city, and shall be removed, corrected or otherwise satisfied at the direction of the city as provided in this article.
- (c) Any nuisance, except such nuisance as would be determined to be an emergency, existing within the city shall be brought before the code enforcement board of the city as provided in F.S. ch. 162. Upon determination by the board that a nuisance does in fact exist, the landowner or custodian thereof shall take whatever corrective measures as directed by the board, within the time period provided by the board. The remedies available to the code enforcement board, in addition to those set forth in F.S. ch. 162, shall include the authority to authorize clean up or repair of the property to come into compliance; to recommend suspension or revocation of an occupational license until the property comes into compliance; and such further remedies as provided by law. If the code enforcement officer has reason to believe a violation or the condition causing the nuisance presents a serious threat to the public health, safety or welfare, or is irreparable or irreversible in nature, he shall make a reasonable effort to notify the violator, and may immediately notify the code enforcement board and request a hearing.
- If the owner, agent or person in custody of any property upon which such nuisance should exist, fail, neglect or refuse to comply with the direction of the code enforcement board within the time provided, and such is verified by the code enforcement officer, and the code enforcement officer confirms that the person responsible was noticed of the board action by certified mail, the code enforcement officer is empowered to authorize the property to be cleaned and the nuisance abated by his own agents or authorized contractors. Prior to commencing such abatement, the code enforcement officer shall obtain a reasonable estimate for such abatement and present the estimate to the city administrator for approval. If in the opinion of the city administrator the cost of abatement exceeds the reasonable value of the property or is otherwise not warranted, then enforcement of the order of the code enforcement board may proceed via other available alternatives under law. If abatement is approved, the code enforcement officer, his agents or contractors are authorized to enter upon such property and take whatever remedial measures are necessary to abate the nuisance to comply with the order of the code enforcement board, and to protect the health, welfare and safety of the citizens of the city. Notwithstanding this procedure, if the city administrator should determine that the nuisance is in the nature of an emergency or of such an immediate danger or risk to the public as to imminently affect the public health, safety or welfare of the general public then the city may enter upon such property at any time to take whatever remedial action as is deemed reasonable and necessary to abate the nuisance to ensure the public health and safety. In such instance, the city shall attempt all reasonable means to give the landowner, agent or person in custody of the property advance notice of the proposed actions of the city, although failure to achieve actual notice shall not prevent such abatement.
- (e) All costs incurred under this section for the abatement of the nuisance, including administrative code enforcement expenses; labor, equipment and material expenses; and any costs reasonably related to the abatement shall be the responsibility of the landowner. The total costs as calculated by the code enforcement officer shall be included in a resolution presented to the city council, who shall levy a special assessment lien against such lot. Such resolution shall describe the landowner, parcel

Sec. 30-44. - General cleaning and beautification.

- (a) In the interpretation of this section, the city has determined that all lands in the city fall into the following categories, and this Code will be enforced in this section to conform to these categories:
  - (1) Unplatted and undeveloped lands are considered to be raw land or unimproved land.
  - (2) Platted and undeveloped lands are considered to be raw land or unimproved land.
  - (3) Platted and developed lands are considered to be developed or improved land.
  - (4) Unplatted and partially developed lands are considered as developed and improved land only for that portion of the whole parcel that includes actual developed land.
- (b) All owners of improved property shall cut and keep cut all weeds, grasses or undergrowth on the entire property, to a height not to exceed eight inches. Also, all landscaping shall be trimmed and kept in a neat appearance so as not to adversely affect the aesthetic appearance of the property and adjacent properties.
- (c) When determined by the code enforcement officer of the city that a public nuisance exists, owners of all unimproved property shall cut and keep all weeds, grasses and undergrowth to a height not to exceed 12 inches, in a strip 100 feet wide around the perimeter of such property, which fronts on a public street, drainage or utility easement or is contiguous to occupied property. Also, the owner shall remove any abandoned property, garbage, litter, stagnant water, untended vegetation or noxious matter on the entire property.
- (d) All owners are deemed to be in control of and responsible for areas on or adjoining their property such as easements.
- (e) All lands in the city shall be kept free of untended vegetation or any other matter, which by reason of height, proximity to neighboring structures, physical conditions; disease such as, but not limited to: lethal yellowing palms or other peculiar characteristics which might in time of high winds, prevalent in this region, cause damage to life or property within the immediate area surrounding such region.
- (f) It shall be unlawful for any person to cause, maintain, permit or allow to be caused, maintained or permitted, the accumulation of any litter, garbage, abandoned property, stagnant water, untended vegetation or weeds on any construction or building site before, during or after completion of such construction or building. It shall be the duty of the owner or his agent to make adequate provisions for the disposal of such items and to have, on the construction or building site, adequate facilities for the disposal of such items and to make appropriate arrangements for the collection thereof.
- (g) It shall be the responsibility of all owners of improved property to maintain proper ground cover on their property (such ground cover including, but not limited to, grasses, concrete, asphalt, decorative stones) and driveways (driveway ground cover including, but not limited to, concrete, asphalt, decorative stones, in-laid brick, tile and shell rock) to prevent a condition that could endanger the health, safety and welfare of any member of the community; maintained as required in this section. Furthermore, appropriate landscaping shall be installed, replaced and maintained, in living condition, so as not to adversely affect the aesthetic appearance of the property and adjacent properties.
- (h) No persons shall sweep into or deposit in any gutter, ditch, street or other public place within the city the accumulation of litter from any building or lot or from the public sidewalks. Nor shall any owner or tenant abutting a public thoroughfare allow or suffer to remain litter upon the adjacent public sidewalk, including medians, so that litter, rubbish and refuse shall not be allowed to pile up or accumulate on such public right-of-way.
- (i) No merchant or business within the city shall allow litter to accumulate, and shall clean and otherwise rid his premises, including sidewalks, of waste matter and litter although the same may not have been deposited by him, his agents or his patrons.

(Code 1982, § 8-11(a)—(f), (j), (k); Ord. No. 797, § 2, 7-2-2002)

#### Sec. 30-41. - Disabled vehicles.

No person in charge or in control of any property within the city, whether an owner, tenant, occupant, lessee or otherwise, shall allow any disabled vehicle to be placed or remain on such property unless such vehicle is within a completely enclosed building or is on the premises of an automotive repair or storage business for which the owner of the business has a current city occupational license and zoning approval.

- (1) Prima facie evidence. A vehicle will be considered physically or mechanically incapable of being operated on the public streets if it is wrecked, partially dismantled, has no engine, has no transmission, has a dismantled engine or transmission, has no valid current license tag or is in some comparable physical state rendering it inoperable.
- (2) Interpretation of this section. Nothing in this section shall be construed as permitting the disassembling, tearing down or scrapping of a vehicle or to permit one vehicle to be scavenged or stripped for parts for use on another vehicle.
- (3) Responsibility for compliance. The owner, agent and/or tenant of the property on which the violation occurs and the owner of the disabled vehicle shall be jointly and individually responsible for compliance with the requirements of this section.

(Code 1982, § 8-8)

Cross reference—Traffic and vehicles, ch. 54.



# Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

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VS

Respondent,

Joseph Danna

Date

05/21/2020

CASE NO. 200406017

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-41, 30-43 & 30-44
- 2. Address and Parcel# where violation exists:505 SE 6th Ave
  - 2-22-37-35-0A00-00025-A000
- Name and address of property owner or person in charge of location where violation exists:
   Joseph Danna 3281 Bottner Road, Gambrills, MD 210542146
- 4. Description of Violation: Expired Tag, Grass Need Mowed and Fence Needs Reparied

#### See Attached Photos

- 5. Date violation must be corrected by Jun 5, 2020
- Date violation first observed on or about: 4/6/20

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la sección 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelación sera archivada en el plazo de 30 días de la firma de la orden que se apelara.





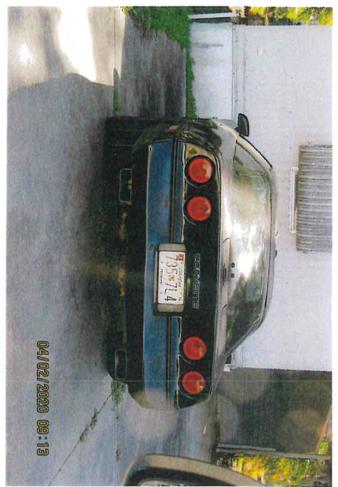






















Parcel ID Number: 2-22-37-0A00-00025-A000

Prepared by: MICHAEL HAYES Return to Okce-Tantie Title Company, Inc. 105 NW 6th Street Okeechobee, Florida 34972 FILE NO. 25056

## 

FILE NUM 2004011771
DR BK 00535 PG 0793
SHARDN ROBERTSON, CLERK DF CIRCUIT COU
DKEECHOBEE COUNTY, FL
RECORDED 06/25/2004 04:22:02 PM
RECORDING FEES 18.50
DEED DOC 525.00
RECORDED BY C Saine

## Warranty Deed

This Indenture, Executed this June 10, 2004 A.D. Between

# CHARLES WHITEHEAD and DENISE WHITEHEAD, HUSBAND and WIFE,

whose address is 505 S.E. 6TH AVE, OKEECHOBEE, FLORIDA 34974, hereinafter called the grantor, to

#### JOSEPH A. DANNA,

whose post office address is: PO BOX 258 /, DAVIDSONVILLE, MD 21035, heroinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Okeechobee County, Florida, viz:

Legal Description as Exhibit "A"

Parcel ID Number: 2-22-37-0A00-00025-A000

Subject to covenants, restrictions, easements of record and taxes for the current year.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2004.

In Witness Whereof, the said grantor has signed and scaled these presents the day and year first above written

Signed, sealed and delivered in our presence:	presents the day and year first above written.
My /s	Online D.
Witness Printed Name	CHARLES WHITEHEAD (Seal)
6 6	Address: 505 S.E. 6TH AVE, OKEECHOBEE, FLORIDA 34974
Saur	Car State
Witness Printed Name SUE STARR	DENISE WHITEHEAD (Seal)
	Address: 505 S.E. 6TH AVE, OKEECHOBEE, FLORIDA 34974
State of Florida County of Okeechobee	
The foregoing instrument was acknowledged before m WHITEHEAD, HUSBAND and WIFE, who is/are personall	this June 10, 2004, by CHARLES WHITEHEAD and DENISE y known to me or who has produced a drivers license as identification.
SUE SAME	Notar Public
My Comm. Expires	My Commission Expires
324800	
Velic	
OF FLORIORIES	
7//11/44/99	

Exhibit # VII – P
Case Number 200513010
Andrew Doe



### Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 3-21-37-35-0100-000D0-001A | SINGLE FAM (000100) | 0.793 AC

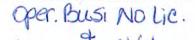
OAK GROVE ADDITION TO CITY OF OKEECHOBEE A PORTION OF BLOCK "D", OAK GROVE ADDITION TO CITY OF

	0	KEECHOBE	E, ACCC	ORDING TO THE PL	AT THEREOF RE	CORDED IN P	
	DOE ANDREW				2019 Cer	tified Values	
Owner	1410 SW 5TH AVE			Mkt Lnd	\$18,137	Appraised	\$122,304
	OKEECHOBEE, FL 349745018			Ag Lnd	\$0	Assessed	\$122,304
Site:	1410 SW 5TH AVE, OKEECHOBEE			Bldg	\$101,566	Exempt	\$0
Sales	5/17/2019		1(Q)	XFOB	\$2,601		county:\$122,304
Info	6/7/2018 1/30/2017	\$100 \$75,000	I (U) I (Q)	Just	\$122,304	Total Taxable	city:\$122,304 other:\$122,304
							school:\$122.3



This information,, was derived from data which was compiled by the Okeechobee County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.

GrizzlyLogic.com GrizzlyLogic.com







# Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

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VS

Respondent,

Andrew Doe

Date

05/13/2020

CASE NO. 200513010

# STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43 Section 30-44 & Sec 50-41
- 2. Address and Parcel# where violation exists: 1410 SW 5th Ave

3-21-37-35-0100-000D0-001A

3. Name and address of property owner or person in charge of location where violation exists:

Andrew Doe - 1410 SW 5th Ave, Okeechobee

4. Description of Violation: Mow, Clean-up Debris, Commercial Vehicle in Residential

Neighborhood also Operating a Business w/o a License in Residential Area.

- 5. Date violation must be corrected by Jun 5, 2020
- Date violation first observed on or about 5/6/20

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 9th day\_JUNE\_ZUZU\_ at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.

# Sec. 54-1. Definitions

**Commercial** vehicle means every vehicle designed, used or maintained primarily for the transportation of property, with a gross vehicle weight of 10,000 pounds or more. The term "commercial vehicle" shall also mean any bus with a gross vehicle weight in excess of 10,000 pounds.

**Industrial equipment** means farm tractors, implements, bulldozers, draglines, cranes, derricks, heavy earthmoving equipment normally used in farming excavation and/or heavy construction activities.

**Recreational vehicle** means every licensed vehicle and conveyance designed, used or maintained primarily as a travel trailer, motor home, camper, boat and boat trailer, or other similar use.

**Semitrailer** means a semitrailer which is used or designed primarily for carrying commercial loads.

**Vehicle** means every device, excluding skateboards, wagons, wheelchairs, unicycles, push carts, tricycles and other children's carriers, upon or by which any person or property is or may be transported or drawn upon a roadway, bike lane, bike path or sidewalk.

# Sec. 54-51. Parking in residential neighborhoods.

- (a) Commercial vehicles and semitrailers prohibited or restricted in residential districts.
- (1) It shall be unlawful for any owner, agent, operator or person in charge of any commercial vehicle or semitrailer to park, stop, store or keep the same on any public street, avenue, alley or other thoroughfare, or any right-of-way therewith, within any residential district in the city for a period exceeding one hour in any 24-hour period, each such period commencing at the time of the first stopping in the city.
- (2) It shall be unlawful for any owner or lessee of real property in any residential district in the city to park on, cause to be parked on, or allow to be parked on his, its or their residential property, any commercial vehicle or semitrailer for the period exceeding one hour in a 24-hour period unless the same is in an enclosed garage. Each such period shall commence at the time of first stopping or parking, and as may be otherwise provided in this section. This restriction shall also apply to the owner, agent, operator or person in charge of any such vehicle if such person is not the owner or lessee of such real property.
- (b) Delivery and construction vehicles; emergency repairs.
- (1) The restrictions of subsection (a) of this section shall not apply to the temporary parking of such vehicles on private property in residential districts whereon construction is underway, for which a current and valid building permit has been issued by the city, and such permit is properly displayed on the premises.
- (2) The restrictions of subsection (a) of this section on one hour in residential districts shall not apply to routine deliveries by tradesmen, or the use of trucks in making service calls, provided that such time in excess of one hour is actually in the course of business deliveries or servicing, as the case may be.

- (3) The restrictions of subsection (a) of this section shall not apply to a situation where such vehicle becomes disabled, and as a result of such emergency is required to be parked within a residential district for longer than one hour. However, any such vehicle shall be removed from the residential district within 24 hours, by wrecker towing if necessary, regardless of the nature of the emergency.
- (c) Industrial equipment prohibited in residential districts.
- (1) It shall be unlawful for any owner, agent, operator or person in charge of any industrial equipment to park, stop, store or keep such equipment on any public street, avenue, alley or other thoroughfare, or any right-of-way therewith, within any residential district in the city, any time, unless moving directly to or from, or actually located at, any excavation or construction site whereon construction, clearing, removal of debris or other building and/or excavation activities are either currently underway or will commence within the next 24 hours and for which a current and valid permit has been issued by the city, and such permit is properly displayed on the premises. Industrial equipment used in lot clearing, tree trimming or removal lawn care and related services, is also included, although a specific building permit may not be required; and, nothing in this section is intended to require a building permit where not otherwise required.
- (2) It shall be unlawful for any owner of property in any residential district of the city to park on, cause to be parked on, or allow to be parked on his, its or their residential property, any industrial equipment, as previously defined in this section, at any time unless such industrial equipment is used on property wherein construction, clearing, removal of debris and/or other similar activities are currently underway or will commence within the next 24 hours and for which a current and valid permit has been issued by the city, and such permit is properly displayed on the premises. Heavy equipment used in lot clearing, tree trimming or removal, lawn care and related services is also included in this section, although a specific building permit may not be required; and, nothing in this section is intended to require a building permit where not otherwise required. However, mowers, clippers, edgers, drills, saws, sanders and other normal tools and implements of home, lawn and garden maintenance and repair, whether motorized or not, are not considered to be industrial equipment.
- (3) Exempt from the provisions of this section are items of industrial equipment in actual use or moving directly to or from the location of actual use:
- a. Owned or leased by the city or the county for the accomplishment of a governmental purpose such as tree trimming, road repair or construction, water or sewer system repair or construction, maintenance of street and traffic lights and/or similar activities;
- b. Owned or leased by a contractor or subcontractor under agreement with the city or county to accomplish a municipal purpose as provided in subsection (c)(3)a of this section;
- c. Owned or leased by the recognized public utility operating within the city, or by a contractor or subcontractor under agreement with such public utility for the accomplishment of some installation, maintenance, adjustment and/or repair to such public utility.
- (d) Application of superseding city ordinances and state laws. This subsection is primarily for the purpose of protecting residential zoning. Therefore, any ordinances of this city or laws of this state providing for the regulation of motor vehicles are in addition to this subsection, and wherever primarily for the regulation of motor vehicles or for the purposes of zoning, imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of this subsection, then more stringent requirements, regulations, restrictions or limitations shall apply.
- (e) *Exceptions*. The provisions of this section shall not apply to recreational vehicles used exclusively for recreational purposes.

- (f) Nonconforming use. The nonconforming use provisions of this chapter shall not apply to these sections.
- (g) Conformity with existing ordinances. This section shall not be construed as authorizing trucks to utilize any street or other public thoroughfare of the city over which such vehicular traffic is now or hereafter prohibited by ordinance, or lawful order of the police department.

(Code 1982, § 17-31) Secs. 54-52--54-80. Reserved.

- (a) In the interpretation of this section, the city has determined that all lands in the city fall into the following categories, and this Code will be enforced in this section to conform to these categories:
  - (1) Unplatted and undeveloped lands are considered to be raw land or unimproved land.
  - (2) Platted and undeveloped lands are considered to be raw land or unimproved land.
  - (3) Platted and developed lands are considered to be developed or improved land.
  - (4) Unplatted and partially developed lands are considered as developed and improved land only for that portion of the whole parcel that includes actual developed land.
- (b) All owners of improved property shall cut and keep cut all weeds, grasses or undergrowth on the entire property, to a height not to exceed eight inches. Also, all landscaping shall be trimmed and kept in a neat appearance so as not to adversely affect the aesthetic appearance of the property and adjacent properties.
- (c) When determined by the code enforcement officer of the city that a public nuisance exists, owners of all unimproved property shall cut and keep all weeds, grasses and undergrowth to a height not to exceed 12 inches, in a strip 100 feet wide around the perimeter of such property, which fronts on a public street, drainage or utility easement or is contiguous to occupied property. Also, the owner shall remove any abandoned property, garbage, litter, stagnant water, untended vegetation or noxious matter on the entire property.
- (d) All owners are deemed to be in control of and responsible for areas on or adjoining their property such as easements.
- (e) All lands in the city shall be kept free of untended vegetation or any other matter, which by reason of height, proximity to neighboring structures, physical conditions; disease such as, but not limited to: lethal yellowing palms or other peculiar characteristics which might in time of high winds, prevalent in this region, cause damage to life or property within the immediate area surrounding such region.
- (f) It shall be unlawful for any person to cause, maintain, permit or allow to be caused, maintained or permitted, the accumulation of any litter, garbage, abandoned property, stagnant water, untended vegetation or weeds on any construction or building site before, during or after completion of such construction or building. It shall be the duty of the owner or his agent to make adequate provisions for the disposal of such items and to have, on the construction or building site, adequate facilities for the disposal of such items and to make appropriate arrangements for the collection thereof.
- (g) It shall be the responsibility of all owners of improved property to maintain proper ground cover on their property (such ground cover including, but not limited to, grasses, concrete, asphalt, decorative stones) and driveways (driveway ground cover including, but not limited to, concrete, asphalt, decorative stones, in-laid brick, tile and shell rock) to prevent a condition that could endanger the health, safety and welfare of any member of the community; maintained as required in this section. Furthermore, appropriate landscaping shall be installed, replaced and maintained, in living condition, so as not to adversely affect the aesthetic appearance of the property and adjacent properties.
- (h) No persons shall sweep into or deposit in any gutter, ditch, street or other public place within the city the accumulation of litter from any building or lot or from the public sidewalks. Nor shall any owner or tenant abutting a public thoroughfare allow or suffer to remain litter upon the adjacent public sidewalk, including medians, so that litter, rubbish and refuse shall not be allowed to pile up or accumulate on such public right-of-way.
- (i) No merchant or business within the city shall allow litter to accumulate, and shall clean and otherwise rid his premises, including sidewalks, of waste matter and litter although the same may not have been deposited by him, his agents or his patrons.

(Code 1982, § 8-11(a)—(f), (j), (k); Ord. No. 797, § 2, 7-2-2002)

- (a) "Public nuisance" as defined in this section, means the existence of excessive accumulation of litter or untended vegetation, garbage, weeds, or other dead or living plant life; or places holding stagnant water, and all other objectionable, unsightly or unsanitary matter upon any lot, track of land within the city, whether uncovered or under shelter, to the extent and in the manner that such lot or parcel of land is, or may reasonably become infested or inhabited by rodents, vermin or wild animals, or may furnish a breeding place for mosquitoes, or threatens or endangers the public health, safety or welfare, including such condition causing or tending to cause disease, or by reason of such a condition, tends to impair the economic welfare of adjacent property; including abandoned or junk property as defined by this article; unsightly, derelict or unsafe building or structure which may constitute a hazard to safety, health, welfare or sense of public aesthetics by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.
- (b) All nuisances are declared to be a public nuisance and illegal within the municipal boundaries of the city, and shall be removed, corrected or otherwise satisfied at the direction of the city as provided in this article.
- (c) Any nuisance, except such nuisance as would be determined to be an emergency, existing within the city shall be brought before the code enforcement board of the city as provided in F.S. ch. 162. Upon determination by the board that a nuisance does in fact exist, the landowner or custodian thereof shall take whatever corrective measures as directed by the board, within the time period provided by the board. The remedies available to the code enforcement board, in addition to those set forth in F.S. ch. 162, shall include the authority to authorize clean up or repair of the property to come into compliance; to recommend suspension or revocation of an occupational license until the property comes into compliance; and such further remedies as provided by law. If the code enforcement officer has reason to believe a violation or the condition causing the nuisance presents a serious threat to the public health, safety or welfare, or is irreparable or irreversible in nature, he shall make a reasonable effort to notify the violator, and may immediately notify the code enforcement board and request a hearing.
- If the owner, agent or person in custody of any property upon which such nuisance should exist, fail, neglect or refuse to comply with the direction of the code enforcement board within the time provided, and such is verified by the code enforcement officer, and the code enforcement officer confirms that the person responsible was noticed of the board action by certified mail, the code enforcement officer is empowered to authorize the property to be cleaned and the nuisance abated by his own agents or authorized contractors. Prior to commencing such abatement, the code enforcement officer shall obtain a reasonable estimate for such abatement and present the estimate to the city administrator for approval. If in the opinion of the city administrator the cost of abatement exceeds the reasonable value of the property or is otherwise not warranted, then enforcement of the order of the code enforcement board may proceed via other available alternatives under law. If abatement is approved, the code enforcement officer, his agents or contractors are authorized to enter upon such property and take whatever remedial measures are necessary to abate the nuisance to comply with the order of the code enforcement board, and to protect the health, welfare and safety of the citizens of the city. Notwithstanding this procedure, if the city administrator should determine that the nuisance is in the nature of an emergency or of such an immediate danger or risk to the public as to imminently affect the public health, safety or welfare of the general public, then the city may enter upon such property at any time to take whatever remedial action as is deemed reasonable and necessary to abate the nuisance to ensure the public health and safety. In such instance, the city shall attempt all reasonable means to give the landowner, agent or person in custody of the property advance notice of the proposed actions of the city, although failure to achieve actual notice shall not prevent such abatement.
- (e) All costs incurred under this section for the abatement of the nuisance, including administrative code enforcement expenses; labor, equipment and material expenses; and any costs reasonably related to the abatement shall be the responsibility of the landowner. The total costs as calculated by the code enforcement officer shall be included in a resolution presented to the city council, who shall levy a special assessment lien against such lot. Such resolution shall describe the landowner, parcel

# Electronic Articles of Organization For Florida Limited Liability Company

L20000004393 FILED 8:00 AM December 24, 2019 Sec. Of State thampton

# **Article I**

The name of the Limited Liability Company is: BLAKE'S TRANSPORT LLC

# Article II

The street address of the principal office of the Limited Liability Company is:

1410 SW 5TH AVE OKEECHOBEE, FL. UN 34974

The mailing address of the Limited Liability Company is:

1410 SW 5TH AVE OKEECHOBEE, FL. UN 34974

# **Article III**

The name and Florida street address of the registered agent is:

ANDREW B DOE 1410 SW 5TH AVE OKEECHOBEE, FL. 34974

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: ANDREW DOE

# **Article IV**

The name and address of person(s) authorized to manage LLC:

Title: MGR ANDREW DOE 1410 SW 5TH AVE OKEECHOBEE, FL. 34974 UN

Title: MGR IVONNE SHELDON 1410 SW 5TH AVE OKEECHOBEE, FL. 34974 UN L20000004393 FILED 8:00 AM December 24, 2019 Sec. Of State thampton

# Article V

The effective date for this Limited Liability Company shall be:

12/23/2019

Signature of member or an authorized representative

Electronic Signature: ANDREW DOE

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

# apme > US > Prince > Drescribes

## **BLAKE'S TRANSPORT LLC**

Florida Department Of State Susiness Registration - Updated 1/10/2020

Vantazma collision - PPG Collision Repair Center

Vantazma Car Care

Insurance certified technicians. Lifetime warranties

Blake's Transport LLC is a Florida Domestic Limited-Liability Company filed on December 23, 2019. The company's filing status is listed as Active and its File Number is L2000004393.

The Registered Agent on file for this company is Doe Andrew B and is located at 1410 Sw 5th Ave, Okeechobee, FL 34974. The company's principal address is 1410 Sw 5th Ave, Okeechobee, FL 34974 and its mailing address is 1410 Sw 5th Ave, Okeechobee, FL 34974 UN.

The company has 2 principals on record. The principals are Andrew Doe from Okeechobee FL and Ivonne Sheldon from Okeechobee FL.

Like 31K



WEBSITE



Company Name: BLAKE'S TRANSPORT LLC

File Number:

L20000004393

Filing State:

Florida (FL) Active

Filing Status: Filing Date:

December 23, 2019

Company Age:

5 Months

Registered Agent:

Doe Andrew B 1410 Sw 5th Ave

Okeechobee, FL 34974

Principal Address:

1410 Sw 5th Ave Okeechobee, FL 34974

Mailing Address:

1410 Sw 5th Ave Okeechobee, FL 34974 UN

Rich's Auto Tech - Auto Repair Shop

Rich's Auto Technology Services, LLC.

We are OPEN Million Mile warranty and

Free Loaner Cars

WEBSITE

CALL.

### ANDREW DOE

Manager



1410 Sw 5th Ave Okeechobee, FL 34974

View Nationwide Phone Book Listings For Andrew Doe

**IVONNE SHELDON** 

Manager



1410 Sw 5th Ave Okeechobee, FL 34974

Sponsored Links

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OPEN

There	are no reviews yet for this company.
Englisher (1997)	
There	are no questions yet for this company.
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Contact (	Js Regarding Your Company Profile
All Comp	anies Named Blake's Transport LLC
Search A	Il Florida Companies

Order Business Services For Blake's Transport LLC

Pro Data • Pro Search • Pro API • Contact Us • Terms of Use • Private Pouch • Sitemao Desktop





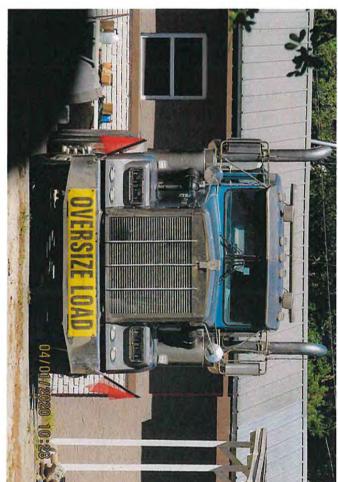




Exhibit # VII – Q

Case Number 200526012

Ruiz Investments LLC (Azteca)



# Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422 5-37-35-0010-01490-0100 | ISTORES/1 S (001100) | 0.407 AC | NOTES:

PARCEL: 3-15-37-35-0010-01490-0100 | STORES/1 S (001100) | 0.407 AC CITY OF OKEECHOBEE E 1/2 OF LOT 10, LOTS 11 & 12 BLOCK 149

		on one	COLIODE	E 1/2 OF LOT	io, Lois ii a i	2 BLOCK 149	
RUIZ INVESTMENTS LLC			2019 Certified Values				
Owner	625 NE PARK	ST		Mkt Lnd	\$107,387	Appraised	\$262,716
	OKEECHOBE	E, FL 34972	24547	Ag Lnd	\$0	Assessed	\$262,716
Site:	625 NE PARK			Bidg	\$144,112	Exempt	\$0
	OKEECHOBE 8/7/2014	E \$63,842	I(U)	XFOB	\$11,217		county:\$260,568
Sales Info	8/7/2014	\$216,700	1 (Q)	Just	\$262,716	Total Taxable	city:\$260,568 other:\$260,568
11110	8/13/2001	\$0	I (U)			Taxable	school:\$262,716



Okeechobee County FI

This information, was derived from data which was compiled by the Okeechobee County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.



NOTES:

PARCEL: 3-15-37-35-0010-01490-0090 | MXD RES/OF (001200) | 0.244 AC CITY OF CHORECHOREE LOT 9 & W 1/2 OF LOT 10 BLOCK 149 2019 Certified Values RUIZ INVESTMENTS LLC CHATHER GZS NE PARK ST Mkt Lnd \$64,432 Appraised \$140,979 OKEECHOBEE, FL 349724547 Ag Lnd \$0 Assessed \$140,979 EUS NE PARK ST. 8449 \$71,400 Exempt 10 Siba: CHEECHOBEE XFQ8 \$5,147 county:\$140,979 617/2/214 #446,7460 | 1,025 \$2:17,128 | 1,025 \$400,600 | 1,025 Sales Total city:\$140,979 W7/2014 Just \$140,979 mo Taxable odhair:\$140,979 4114041



Oksechobes County, FL

This information, were derived from data which was compiled by the Okoachobas County Property Appraiser Office soluby for the governmental purpose of property assessment. This information should not be relied upon by emporte as a data-ministion of the centerality of property or metrod value. No warrandes, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.

Grizzlyt.ogtc.com Grizziyi.agic.com

metrool:\$140,979



# Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

NOTES:

PARCEL: 3-15-37-35-0010-01490-0010 | HOTELS/MOT (003900) | 0.981 AC CITY OF OKEECHOBEE LOTS 1 TO 6 INC BLOCK 149

2019 Certified Values **RUIZ INVESTMENTS LLC** Owner: 625 NE PARK ST Mkt Lnd \$92,340 Appraised \$147,907 OKEECHOBEE, FL 349724547 Ag Lnd \$0 \$147,907 Assessed 104 NE 6TH AVE, Bldg \$53,215 Exempt \$0 Site: OKEECHOBEE **XFOB** \$2,352 county:\$147,907 8/7/2014 \$66,700 I (U) \$216,700 I (Q) \$190,000 I (Q) Sales city:\$147,907 other:\$147,907 Total 8/7/2014 Just \$147,907 Info Taxable 6/23/2004 school:\$147,907



Okeechobee County, FL

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Grizzly Logic.com



# Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA

Petitioner.

VS

Respondent,

Date

05/26/2020

CASE NO. 200526012

Ruiz Investments LLC

# STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43
- 2. Address and Parcel# where violation exists: 625 NE Park Street

3-15-37-35-0010-01490-0100

3. Name and address of property owner or person in charge of location where violation exists:

Ruiz Investments LLC - 625 NE Park Street

- 4. Description of Violation: Public Nuisance See Attached Photos
- 5. Date violation must be corrected by Feb 27, 2020
- Date violation first observed on or about. 2/3/20

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 9th day June 2020 at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

# Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito . Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.

Okeechobee, FI 34972 8890 NE 12th Lane

Okeechobee, Fl. 34974 705 South Parrott Ave



	CASE# 200526012
Ruiz Investments LLC	
625 NE Park Street	
Okeechobee, Fl 34972	
	Notice of Violation/Notice of Hearing hand Okeechobee Code Enforcement Officer.
Receipients Signature	5/27/2020 Date
Rajeh Printed Name	Drivers License
Date of Birth	=

# **Detail by Entity Name**

Florida Limited Liability Company AZTECA MARKET 3 LLC

### Filing Information

**Document Number** 

L19000253718

**FEI/EIN Number** 

NONE

**Date Filed** 

10/08/2019

**Effective Date** 

10/08/2019

State

FL

Status

ACTIVE

### Principal Address

1705 SOUTH PARROTT AVENUE OKEECHOBEE, FL 34974

### Mailing Address

1705 SOUTH PARROTT AVENUE OKEECHOBEE, FL 34974

### Registered Agent Name & Address

LUNA, JESUS 8890 NE 12TH LANE OKEECHOBEE, FL 34974

# Authorized Person(s) Detail

### Name & Address

# Title MGR

LUNA, JESUS 8890 NE 12TH LANE OKEECHOBEE, FL 34974

### Title MGR

LUNA, YOLANDA 8890 NE 12TH LANE OKEECHOBEE, FL 34974

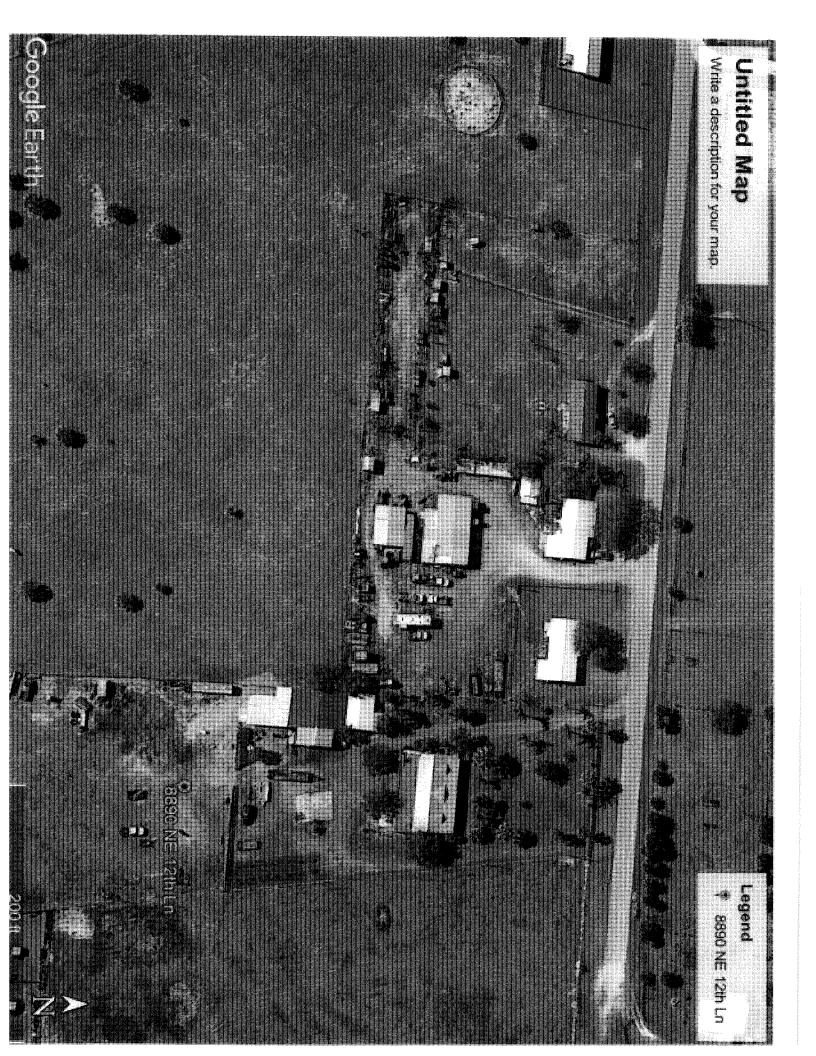
### Annual Reports

No Annual Reports Filed

### Document Images

10/08/2019 - Florida Umited Lisbility

View image in PDF format



# NOTICE TO APPEAR

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Unless Respondent corrects the violation described herein, Chapter 30 Section 30-43 tublic Noisance

Signed: Meliana a Clase Title: Cate Enforcement	Dated this 20 day of the month of May the year o	of June 2020, at 6:30pm	55 SE 3rd Avenue, Okeechobee, FL on the 9m	violation(s) will be presented in the City Council Chambers, City Hall,	verify compliance. NOTICE IS HEREBY GIVEN that the alleged	By the date set forth AND contacts the undersigned Code Inspector to
e Enforce	the year of 20 20		<del>पूर</del>	hambers, (	EN that the	d Code Ins
ment	20 20		day	lity Hall,	alleged	pector to

625 NE PURSH

Case 2005210012

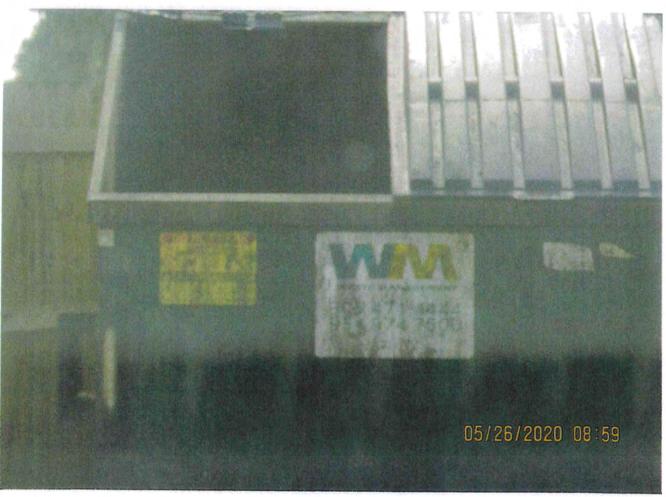
56 SE 3rd Avenue - Okeechobee, FL 34974

863-167-1586 012-97ax

Florida Statute 7

City of Okeechobee



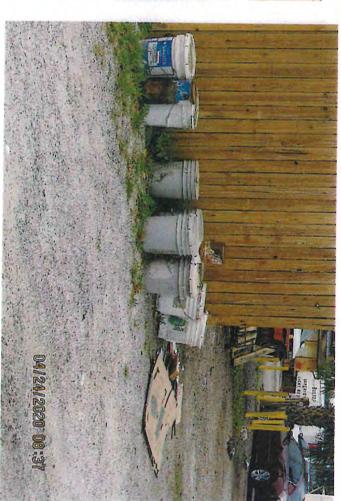






# Azteca 4/24/2020





04/24/2020 08:38



Azteca 4-21-2020



Sent from Kathy Shorter











AZTECA



















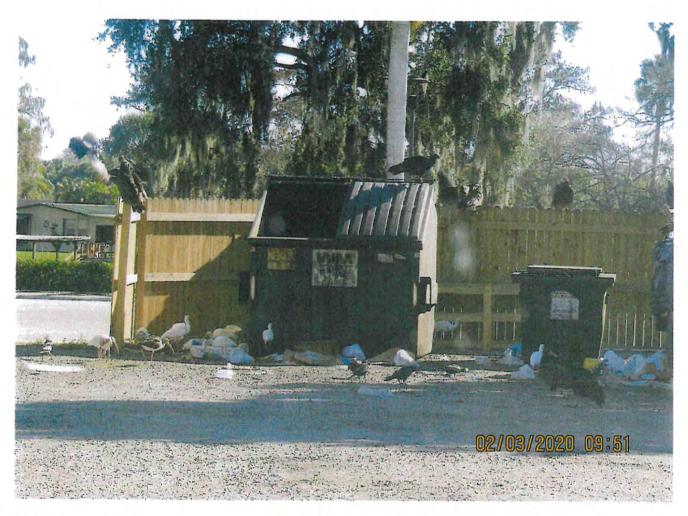
























#### Migrant Question

Shorter, Kathy <Kathy.Shorter@flhealth.gov>

Tue 5/26/2020 1 55 PM

To: Bailey, Chad E <Chad.Bailey@flhealth.gov>
Cc: Fred Sterling <fsterling@cityofokeechobee.com>

Hi Chad,

Hope all is well. I have a house I think is housing single guys that possibly work in the field. When I question the owner he never gives me a direct answer as to where they work. Would Department of Labor get involved in this? The owner's name is Tony Ruiz, 281-303-3218. The address is 104 NE 6<sup>th</sup> Avenue, Okeechobee, Fl. 34974. He is usually working out of state, so I try to get information from the niece? The City Code Enforcement keeps calling me about it. Can you advise me on the best way to handle this.

Thank you,

Kathy Shorter Environmental Specialist II 1728 NW 9<sup>th</sup> Avenue Okeechobee, FL 34972 Florida Department of Health Okeechobee County 863-462-5806

Mission: To protect, promote and improve the health of all people in Florida through integrated state, county, and community efforts.

#### Azteca Dumpster

Shorter, Kathy <Kathy.Shorter@flhealth.gov>

Thu 3, 26, 2020 7:50 AM

To: Fred Sterling <fsterling@cityofokeechobee.com>

Vanessa the bar owner said she will be cleaning up around her dumpster and putting a lock on it. She said that the renters and the store are making the mess. Her number is 863-840-0097 if you want to speak to her. I still have not heard from 1104 SW  $10^{th}$  St yet.

Kathy Shorter Environmental Specialist II 1728 NW 9<sup>th</sup> Avenue Okeechobee, FL 34972 Florida Department of Health Okeechobee County 863-462-5806

Mission: To protect, promote and improve the health of all people in Florida through integrated state, county, and community efforts.

#### Complaints

Shorter, Kathy <Kathy.Shorter@flhealth.gov>

Thu 3/19/2020 2 18 PM

To: Fred Sterling <fsterling@cityofokeechobee.com>

1 attachments (209 KB) Scan0253.pdf;

I went to Azteca and saw the dumpster. I spoke with the store owner and I spoke with the building owner about the issue. The owner just got into town from Texas so he said he will go see what they can do to get it cleaned up and figure out a solution to keep it clean. His name is Tony Ruiz and his number is 281-303-3218. I also asked him about the tenants and he said they are year round, not sure how you or I can deal with that issue. Let me know and I can meet you out there for that issue.

Attached is a letter I'm sending to 1104 SW 10<sup>th</sup> Street. The RV didn't have anything hooked up to it, so I can't deal with that. No one answered the door, but while I was sitting in the car I did see the shed door open. I will let you know if I hear anything back.

Sincerely,

Kathy Shorter Environmental Specialist II 1728 NW 9<sup>th</sup> Avenue Okeechobee, FL 34972 Florida Department of Health Okeechobee County 863-462-5806

Mission: To protect, promote and improve the health of all people in Florida through integrated state, county, and community efforts.

#### Azteca

Shorter, Kathy < Kathy. Shorter@flhealth.gov>

Tue 2/13/2020 12 44 PM

To: Fred Sterling <fsterling@cityofokeechobee.com>

Department of Ag permits them and the number is 1-850-245-5520.

Sincerely,

Kathy Shorter Environmental Specialist II 1728 NW 9<sup>th</sup> Avenue Okeechobee, FL 34972 Florida Department of Health Okeechobee County 863-462-5806

Mission: To protect, promote and improve the health of all people in Florida through integrated state, county, and community efforts.

Note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your email communication may therefore be subject to public disclosure.

2/18-9:10 Spore to BOBBY THOMAS - WILL BE BY TOday OF TOMANNOW.

#### Dumpster

Shorter, Kathy < Kathy. Shorter@flhealth.gov>

Mon 2/3/2020 3:01 PM

To: rosaruiz23@gmail.com <rosaruiz23@gmail.com>

Cc: Brenda Martinez <gatitafiera1011@gmail.com>; Fred Sterling <fsterling@cityofokeechobee.com>

I had a complaint called in about the buzzards around the dumpster. I need all businesses using the dumpster to keep the lids shut and keep the garbage picked up around the outside area. You may want to have it picked up twice a week if needed.

Sincerely,

Kathy Shorter Environmental Specialist II 1728 NW 9<sup>th</sup> Avenue Okeechobee, FL 34972 Florida Department of Health Okeechobee County 863-462-5806

Mission: To protect, promote and improve the health of all people in Florida through integrated state, county, and community efforts.

From: AURELIO ALMAZAN (OCPD) To: FRED STERLING

Subject: Code enforcement, Punto Caliente

Pulled a case number for Punto Caliente, area of the Azteca store located at 624 NE Park St. The bar was open past 2 am. I made contact with the manager and advised her that this report would be forwarded to you. Case #200216005

- 1- - 1- - -



# OKEECHOBEE POLICE DEPARTMENT

Officer Report for Incident 200216005

Nature: Code Enforce

Address: 624 NE PARK ST; PUNTO

**CALIENTE** 

Location: SE

OKEECHOBEE FL 34974

Offense Codes: CODE

Received By: P WILKERSON

How Received: O

Agency: OCPD

Responding Officers: A ALMAZAN

Responsible Officer: A ALMAZAN

Disposition: ACT 02/16/20

When Reported: 02:50:10 02/16/20

Occurred Between: 02:50:07 02/16/20 and 02:50:07 02/16/20

Assigned To:

Status:

Detail:

Date Assigned: \*\*/\*\*/\*\*

**Status Date:** \*\*/\*\*/\*\*

**Due Date:** \*\*/\*\*/\*\*

Complainant: 1043

Last: ALMAZAN

First: AURELIO

Mid:

DOB: \*\*/\*\*/\*\*

Dr Lic:

Address: 50 SE 2ND AVE

Race:

City: OKEECHOBEE, FL 34974

Sex:

Phone: ()-

**Offense Codes** 

Reported: CODE CE VIOLATION

Additional Offense: CODE CE VIOLATION

Observed: CODE CE VIOLATION

Circumstances

NIGHT Night (6 p.m. - 6 a.m.)

Responding Officers:

Unit:

A ALMAZAN

7

Responsible Officer: A ALMAZAN

Received By: P WILKERSON

Last Radio Log: 02:53:21 02/16/20 CMPLT

How Received: O Officer Report

Clearance: RTF Report to Follow

When Reported: 02:50:10 02/16/20

**Disposition:** ACT **Date:** 02/16/20

Judicial Status:

Occurred between: 02:50:07 02/16/20

Agency: OCPD

Misc Entry:

and: 02:50:07 02/16/20

Modus Operandi:

Description:

Method:

**Involvements** 

Date	Type	Description	
02/16/20	Name	ALMAZAN, AURELIO	Complainant
02/16/20	Name	RIVERA OYOLA, YANIRA	Involved
02/16/20	Cad Call	02:50:10 02/16/20 Code Enforce	Initiating Call

#### **Narrative**

Okeechobee City Police Department Investigation Narrative

On Sunday, February 16th, 2020 at approximately 0250 hours, I, Sgt. Aurelio Almazan, while on patrol in the 600 block of SR 70E, observed several vehicles in the parking lot of 624 NE Park St, Punto Caliente. As I turned onto NE 6th Ave, I could see several people in the parking lot. I then turned into the parking lot, where the entrance doors were open. I could see through the open doors, to the bar area, where people were standing drinking alcoholic beverages.

I entered the establishment and the subjects at the bar were now being rushed out by security and other bar tenders. I then made contact with the manager on shift, Yanira Rivera Oyola. Yanira stated that they were having a hard time getting their customers to leave. I advised Yanira that it was 0250 in the morning and that her customers were still inside the bar, drinking. I also explained to Yanira that they have been given plenty of breaks in the past about them keeping the business open, past 2 am. Yanira was advised that this incident was going to be forwarded to Code Enforcement. End of report.

Sgt.	Aurelio	Almazan	#7
Appr	oved by:		
Data			

### Supplement

CAD Call info/comments

02:50:40 02/16/2020 - P WILKERSON - From: A ALMAZAN YANIRA RIVERA 02/03/87

## Name Involvements:

Complainant: 1043

Last: ALMAZAN First: AURELIO

DOB: \*\*/\*\*/\*\* Dr Lic: Address: 50 SE 2ND AVE

Race: Sex: Phone: () - City: OKEECHOBEE, FL 34974

Mid:

Involved: 40851

Last: RIVERA First: YANIRA Mid:

OYOLA

 DOB:
 02/03/87
 Dr Lic:
 R164960875430
 Address:
 2617 BEAUMONT AVE

 Race:
 H
 Sex:
 F
 Phone:
 (407)879-6782
 City:
 KISSIMMEE, FL 34741



# OKEECHOBEE POLICE DEPARTMENT

Officer Report for Incident 200119002

Nature: CODE ENFORCE

Location: SE

Address: 624 NE PARK ST; AZTECA

OKEECHOBEE FL 34974

Offense Codes: NC

Received By: P WILKERSON

How Received: O

Agency: OCPD

Responding Officers: S SMITH

Responsible Officer: S SMITH

**Disposition:** TRA 01/20/20

When Reported: 03:04:57 01/19/20

Occurred Between: 03:04:55 01/19/20 and 03:04:55 01/19/20

Assigned To:

Status:

Detail:

Date Assigned: \*\*/\*\*/\*\*

**Status Date:** \*\*/\*\*/\*\*

Due Date: \*\*/\*\*/\*\*

Complainant: 47752

Last: SMITH

First: SAVANNA

Mid:

DOB: \*\*/\*\*/\*\*

Dr Lic:

Address: 50 SE 2ND AVE

Race: W

Sex: F

Phone: ()-

City: OKEECHOBEE, FL 34974

**Offense Codes** 

Reported: NC Not Classified

Observed: 9080 COUNTY ORDINANCE

**VIOLATION** 

Additional Offense: NC Not Classified

Circumstances

NIGHT Night (6 p.m. - 6 a.m.)

Responding Officers:

Unit:

S SMITH

26

Responsible Officer: S SMITH

Agency: OCPD

Received By: P WILKERSON

Last Radio Log: 03:05:26 01/19/20 CMPLT

How Received: O Officer Report

Clearance: RTF Report to Follow

When Reported: 03:04:57 01/19/20

Disposition: TRA Date: 01/20/20

Judicial Status:

Occurred between: 03:04:55 01/19/20

Misc Entry:

and: 03:04:55 01/19/20

Modus Operandi:

Description:

Method:

**Involvements** 

Date	Type	Description	
01/20/20	Name	CASTRO, EDWIN JAVIER	Involved
01/19/20	Name	SMITH, SAVANNA	Complainant
01/19/20	Cad Call	03:04:57 01/19/20 Information	Initiating Call

#### Narrative

#### Okeechobee City Police Department Investigation Narrative

On January 19th, 2019, I, Officer S. Smith, at approximately 2:40 a.m., while on patrol in the 600 Block of NE Park Street, observed a large amount of vehicles parked in the business known as Azteca.

Azteca is a establishment that serves alcohol beverages within city limits. As I pulled into the parking lot, I noticed the front doors were open, and I witnessed a female bartender serving patrons bottles of beer. Upon further investigation, the bottles were labeled "Modelo." I radioed to other units to respond to my location.

Officer Larue, and Officer T. Moutschaka arrived on scene. I made contact with the bouncer Edwin J. Castro and owner of the establishment, and advised them to shut the business down. The bouncer stated he has been trying to get people to leave since 2 a.m. He went on to say, the patrons get upset because they buy the beer, and then have to throw it away. I advised him according to the City Code of Ordinances, they are to stop serving alcohol at 2 a.m., and I witnessed the bartender still serving well after. The bouncer did not have a reply other than, "I'm sorry."

I have been to this location before, and issued a verbal warning in December of 2019 about them selling alcohol after 2 a.m. I let the owner and bouncer know that I will be making a report about the incident, and turning it into Code Enforcement for violating Chapter 6 (a) Failure to adhere to permitted hours or conditions of operation. Nothing further to investigate.

End of report.

## Supplement

CAD Call info/comments

PULL INFO REPORT

#### Name Involvements:

Complainant: 47752

Last: SMITH

**DOB:** \*\*/\*\*/\*\*

Race: W

Sex: F

First: SAVANNA Dr Lic:

Phone: ()-

Mid:

Address: 50 SE 2ND AVE

City: OKEECHOBEE, FL 34974

Involved: 25930

Last: CASTRO

**DOB**: 06/28/89

Race: H Sex: M First: EDWIN

**Dr Lic:** C236210892280 **Phone:** (786)691-6997

Mid: JAVIER

Address: 904 SE 5TH ST

City: OKEECHOBEE, FL 34974



# OKEECHOBEE POLICE DEPARTMENT

Officer Report for Incident 160111001

Nature: CODE ENFORCE

Location: SE

Address: 624 NE PARK ST; AZTECA

OKEECHOBEE FL 34974

Offense Codes: CODE

Received By: P WILKERSON

How Received: O

Agency: OCPD

Responding Officers: J BERNST, C ROMERO

Responsible Officer: JBERNST

Disposition: CLO 01/11/16

When Reported: 04:08:49 01/11/16

Occurred Between: 04:08:47 01/11/16 and 04:08:47 01/11/16

Assigned To:

Detail:

Date Assigned: \*\*/\*\*/\*\*

Status:

Status Date: \*\*/\*\*/\*\*

Due Date: \*\*/\*\*/\*\*

Complainant: 40

Last: OKEECHOBEE

First:

Mid:

**POLICE** 

DEPARTMENT

DOB: \*\*/\*\*/\*\*

Dr Lic:

Address: 50 SE 2ND AVE

Race:

Sex:

**Phone:** (863)763-5521

City: OKEECHOBEE, FL 34974

Offense Codes

Reported: CODE CE VIOLATION

Observed: CODE CE VIOLATION

Additional Offense: CODE CE VIOLATION

Circumstances

**Responding Officers:** 

Unit:

J BERNST

6

C ROMERO

26

Responsible Officer: J BERNST

Agency: OCPD

Received By: P WILKERSON

How Received: O Officer Report

Last Radio Log: 04:20:39 01/11/16 CMPLT

Clearance: RTF Report to Follow

When Reported: 04:08:49 01/11/16

Disposition: CLO Date: 01/11/16

Occurred between: 04:08:47 01/11/16

Judicial Status: Misc Entry:

and: 04:08:47 01/11/16

Modus Operandi:

Description:

Method:

**Involvements** 

Date	Type	Description	
01/11/16	Name	OKEECHOBEE POLICE DEPARTMENT,	Complainant
01/11/16	Name	GOMEZ, PABLO	Subject
01/11/16	Name	RIVERA OYOLA, YANIRA	Subject
01/11/16	Cad Call	04:08:49 01/11/16 Code Enforce	Initiating Call

#### Narrative

# Okeechobee City Police Department Investigation Narrative

On Monday, January 11, 2016, at approximately 0108 hours, I, Sergeant J. Bernst, while on patrol, observed several vehicles in the parking lot of Azteca bar, 624 NE Park Street. When I pulled into the parking lot I could see that there were strobing lights inside and I could hear music being played. I entered the bar and found approximately 15 patrons dancing, playing pool, and consuming alcohol, including several at the bar. I made contact with the manager, Pablo Gomez, and advised him that he was in violation of City Ordinance 6-1(C) which prohibits bars from serving alcohol past midnight on Sunday nights. I also spoke with the bartender, Yanira Rivera-Oyola, and advised her the same. Both stated that they were unaware that they could not serve after midnight on Sunday night. I had the bar shut down and waited while the patrons exited.

Responsible LEO
-
Approved by:
11 1
Date

#### Name Involvements:

Complainant: 40

Last: OKEECHOBEE

First:

Mid:

POLICE

DEPARTMENT

**DOB:** \*\*/\*\*/\*\*

Dr Lic:

Address: 50 SE 2ND AVE

Race:

Sex:

Phone: (863)763-5521

City: OKEECHOBEE, FL 34974

**Subject**: 40851

Last: RIVERA

First: YANIRA

Mid:

OYOLA

**DOB**: 02/03/87

**Dr Lic:** R164960875430

Address: 2617 BEAUMONT AVE

Race: H

Sex: F

**Phone:** (407)879-6782

City: KISSIMMEE, FL 34741

**Subject**: 27229

Last: GOMEZ

First: PABLO

Mid:

**DOB**: 08/16/73

Dr Lic: G520660732960

**Address:** 7655 SR 78 W

Race: H

Sex: M

Phone: ()-

City: OKEECHOBEE, FL 34972

# A Start a search O	1 4 4 1 7 1 7 1 1 1 1 1 1 1 1 1 1 1 1 1	File Compute Print Setup Utility Edit Window Help  Changing a License Riccord  General   Business   License Hum   7594   Status
<b>O</b>	DX DX DX Heb Heb	Owner Hame: RIVERA, VAHESSA Siteel Add: [623HE PARK 5 TREET] City, State, Zqr. [OKEECHOBEE, Ft. 34974] Owner Phone: [663940-0097] Social Security (000-004000) Driver Licente: [RIS4983846970] State. [R] Applicant: [VAHESSA   RIVERA Applicant: [VAHES
Monday, February 3, 2020 2:49p		



#### ! TATE OF FLORIDA **DEP ARTMENT OF HEALTH** Sanitation Certificate

47-48-1887649

Foot Hygiene - Bar/Lounge

47-BID-4357595

County: Okeechobee

Amount Paid: \$255.00 Date Paid: 10/15/2019

Issued Date: 10/15/2019 Expires On: 09/30/2020

issued To:

**PUNTO CALIENTE HOT SPOT** 623 NE Park Street

Okeechobee, FL 34972

Mail To:

Vanessa Rivera

Sebring, FL 33870

1230 Citrus Terrace

Issued By:

Department of Health in Okeechobee County

1728 NW 9th Avenue Okeechobee, FL 34972 (863) 462-5805

Owner: Rivera, Vanessa

Food Type; Full Service

Seating C apacity (Max): 0.00[Restricted by Sewage Disposal Type: ]

Food Hygiene Restrictions (if applicable)

RON DESANTIS, GOVERNOR

HALSEY BESHEARS, SECRETARY

# STATE OF FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION DIV OF ALCOHOLIC BEVERAGES & TOBACCO

LICENSE NUMBER SERIES

BEV5700841 2COP

The RETAILER OF ALCOHOLIC BEVERAGES Named below IS L CENSED Under the provisions of Chapter 564 FS. Expiration date: NAR 31, 2020

PUNTO CA JENTE INC PUNTO CA JENTE / HOT SPOT 623 NE PAI :K ST OKEECHO BEE FL 34972





ISSUE D: 03/05/2019

DISPLAY AS REQUIRED BY LAW

SEQ # L1903050001816



Department of State / Division of Corporations / Search Records / Detail By Document Number /

#### **Detail by Entity Name**

Florida Limited Liability Company AZTECA #3 INVESTMENTS, LLC

Filing Information

**Document Number** 

L19000159575

**FEI/EIN Number** 

NONE

**Date Filed** 

06/17/2019

**Effective Date** 

06/17/2019

State

FL

Status

**ACTIVE** 

Principal Address

8890 NE 12TH LANE

OKEECHOBEE, FL 34974

**Mailing Address** 

8890 NE 12TH LANE

OKEECHOBEE, FL 34974

Registered Agent Name & Address

LUNA, JESUS

8890 NE 12TH LANE

OKEECHOBEE, FL 34974

Authorized Person(s) Detail

Name & Address

Title MGR

LUNA, JESUS

8890 NE 12TH LANE

OKEECHOBEE, FL 34974

**Annual Reports** 

No Annual Reports Filed

**Document Images** 

96/17/2019 - Florida Limited Liability

View image in PDF format.



#### Okeechobee County Property Appraiser Mickey L. Bandi | Okeechobee, Florida | 863-763-4422

PARCEL: 1-16-37-36-0A00-00011-D000 HX H3 | MOBILE HOM (000200) | 2.81 AC
A PARCEL OF LAND LYING IN SECTION 16, TOWNSHIP 37 SOUTH, RANGE 36 EAST, OKEECHOBEE COUNTY,
FLORIDA. SAID PARCEL OF LAND COMPRISES ALL OF THAT LAND DES

	<b>LUNA JESUS</b>	S & YOLA	NDA		2019 Cer	tified Values	
Owner	8890 NE 12TH	LN		Mkt Lnd	\$27,622	Appraised	\$156,189
	OKEECHOBEE	, FL 349740	0000	Ag Lnd	\$0	Assessed	\$85,544
Site:	8890 NE 12TH			Bldg	\$128,356	Exempt	\$50,000
	OKEECHOBEE			XFOB	\$211	Total	county:\$35,544
Sales Info	4/19/2001 12/22/1998 6/25/1996	\$18,000 \$0 \$0	V (Q) V (U) V (U)	Just	\$156,189	Taxable	other:\$35,544 school:\$60,544





Okeechobee County, FL

This information, was derived from data which was compiled by the Okeechobee County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office.

# PO10000 70906

# Florida Department of State

Division of Corporations
Public Access System
Katherine Harris, Secretary of State

#### Electronic Filing Cover Sheet

Note: Please print this page and use it as a cover sheet. Type the fax audit number (shown below) on the top and bottom of all pages of the document.

(((H01000082712 0)))

Note: DO NOT hit the REFRESH/RELOAD button on your browser from this page. Doing so will generate another cover sheet.

To:

Division of Corporations

Fax Number

: (850)205-0381

From:

Account Name : BOARDMAN & SPILLER, P.A.

Account Number : 102350003270 Phone : (941)657-4418

Fax Number : (941)657-4418

# FLORIDA PROFIT CORPORATION OR P.A.

Azteca #3, Inc.

Certificate of Status	0
Certified Copy	1
Page Count	05
Estimated Charge	\$78.75

OI JUL 18 AM 9: 16

#### ARTICLES OF INCORPORATION

OF

#### AZTECA #3, INC.

The undersigned, for the purpose of forming a corporation under the laws of the State of Florida under the corporate name of AZTECA #3, INC. does hereby set forth and declare:

#### CHARTER

#### ARTICLE I

The name of the corporation shall be, AZTECA #3, INC., Community of Okeechobee, County of Okeechobee, State of Florida.

#### ARTICLEII

The corporation may engage in any activity or business permitted under the laws of the United States and of the State of Florida.

#### ARTICLE III

The authorized capital stock which the corporation may issue shall be One Thousand (1000) shares of \$1,00 par value common stock, which shall be nonassessable and held, sold, and paid for at such time and in such manner as the Board of Directors may from time to time determine.

#### ARTICLE IV

The corporation shall commence business on filing with the Secretary of State.

#### ARTICLE V

The corporation shall have perpetual existence, except that the same may be dissolved, as provided by law.

Thomas K. Boardman
Boardman & Spiller, P.A.
1400 North 15th Street, Suite 201
Immokalee, Florida 34142
(941) 657-4418
Florida Bar # 103581

DIVISION OF CORPURATIONS
OF STATE STATE
OF CORPURATIONS

H010000827120

#### ARTICLE VI

The principal place for the transaction of its business shall be at 625 N. E. Park St, Okeechobee, Florida 34972, Community of Okeechobee, County of Okeechobee, in the State of Florida. That said corporation shall have the right and authority to do business at such other place or places within or without the State of Florida as the corporation may, by resolution, designate,

#### ARTICLE VII

The corporation shall have a Board of Directors of not less than one (1) director, which number may be changed from time to time. The number of directors each year shall be determined by the Shareholders at their annual meeting, unless the number is fixed by the Bylaws. The name(s) and post office address(es) of the initial Board of Directors are as follows:

JESUS LUNA

625 N. E. Park St.

Okeechobee, Florida 34972

YOLANDA LUNA

625 N. E. Park St

Okeechobee, Florida 34972

#### ARTICLE VIII

The Officers by whom the business of said corporation shall be conducted shall be a President, who shall be a Director, a Secretary and a Treasurer and such other officers, agents and factors who shall be chosen in such manner, hold their office for such term and have such powers and duties as may be prescribed by the Bylaws or determined by the Board of Directors who shall conduct the business of the corporation until their successors are elected and qualified following the first meeting of shareholders shall be:

JESUS LUNA

President/Treasurer

YOLANDA LUNA

Vice-President/Secretary

#### ARTICLE IX

The names and post office addresses of such subscribers of these Articles of Incorporation, with the amount of stock subscribed for and agreed to be taken by each are as follows:

JESUS LUNA &

625 N. E. Park St

500 SHARES

YOLANDA LUNA

Okeechobee, Florida 34972

H010000827120

#### ARTICLEX

The amount of indebtedness or liability to which the corporation at any time may subject itself shall be unlimited.

#### ARTICLE XI

The street address of the initial registered office of this corporation is 625 N. E. Park Street, Okeechobee, Florida 34972 and the name of the initial registered agent of this corporation at that address is JESUS LUNA.

#### ARTICLE XII

Each shareholder, upon the sale for cash of any new stock of this corporation, shall have the right to purchase his pro rata share thereof (as nearly as may be done without issuance of fractional shares) at the price at which it is offered to others.

#### ARTICLE XIII

The initial Bylaws of this corporation shall be adopted by the Board of Directors. The Bylaws may be amended from time to time by either the shareholders or the directors. The shareholders may amend, alter, or repeal any Bylaw adopted by the directors. The directors may not alter, amend or repeal any Bylaw adopted by the shareholders, nor may the directors adopt Bylaws which would be in conflict with the Bylaws adopted by the shareholders.

#### ARTICLE XIV

Any subscriber or shareholder present at any meeting, either in person, or by proxy, and any directors present in person at any meeting of the Board of Directors shall conclusively be deemed to have received proper notice of such meeting unless he/she shall make objection at such meeting to any defect or insufficiency of notice.

#### ARTICLE XV

Each director and officer of the corporation, whether or not then in office, shall be indemnified by the corporation against all cost and expense reasonably incurred or imposed upon him/her in connection with or arising out of any claim, demand, action, suit or proceeding in which he/she may be involved or to which he/she may be made a party by reason of his being or having been a director or officer of the corporation, said expense to include attorney's fees and the cost of reasonable settlement made with a view to curtailment of cost of litigation, except in relation to matters as to which he/she finally shall be adjudged in any such action, suit, or proceeding to have been detelict in the performance of his duty as such officer or director. Such right of indemnification shall not be exclusive of any other rights to which he/she may be entitled as a matter of law; and the foregoing right of indemnification shall inure to the benefit of the heirs, executors and administrators of any such director or officer.

#### ARTICLE XVI

A director or officer of the corporation shall not be disqualified by his office from dealing or contracting with the corporation either as a vendor, purchaser, or otherwise, nor shall any transaction or contract of the corporation be void or voidable by reason of the fact that any director or officer or any firm of which any director or officer is a member or any corporation of which any director or officer is a shareholder, officer, or director, is in any way interested in such transaction or contract, provided that such transaction or contract is or shall be authorized, ratified, or approved either (a) by a vote of a majority of a quorum of the Board of Directors, without counting in such majority or quorum any director so interested or member of a firm so interested, or a shareholder, officer, or director of a corporation so interested, or (b) by the written consent, or by the vote of any shareholders meeting of the holders of record, of a majority of all the outstanding shares of stock in the corporation entitled to vote, nor shall any director or officer be liable to account to the corporation for any profits realized by or from or through any such transaction or contract authorized, ratified, or approved as herein provided by reason of the fact that he, or any firm of which he/she is a member or any corporation of which he/she is a shareholder, officer, or director, was interested in such transaction or contract. Nothing herein contained shall create liability in the events above described or prevent the authorized approval of such contracts in any other manner permitted by law.

IN WITNESS WHEREOF, I the undersigned being the original subscriber to the capital stock hereinbefore mentioned for the purpose of forming a corporation under the laws of the State of Florida do make, subscribe, acknowledge and file the foregoing Articles of Incorporation, hereby certifying that the facts therein stated are true, and hereby agree to take the number of shares of stock hereinbefore set forth at the consideration stated, and accordingly set my hand and seal at Collier, Florida, this is day of July, 2001.

CX pr

JESUS LUNA

YOLANDA LUNA

STATE OF FLORIDA

COUNTY OF COLLIER

Notice Public - State of Rodge My Commission Spires Aug 14, 2004 Commission 6 Commission 14, 2004

I HEREBY CERTIFY that before me the undersigned authorny, duly authorized to take acknowledgments and administer oaths personally appeared JESUS LUNA and YOLANDALUNA, who is known to me to be the person who made and subscribed to the foregoing Articles of Incorporation, and he/she certified and acknowledged that he/she made and executed said certificate for the use and purposes therein expressed.

WITNESS my hand and official seal this 18th day of July, 2001.

L500 940 72-830 0

1500 420 692170

TYPE OF IDENTIFICATION OR PERSONALLY KNOWNU

Herenson Pollotion NOTARY PUBLIC

Print Name: Kerensa M Polletier

H01000827120

### CERTIFICATE OF DESIGNATION OF REGISTERED AGENT/REGISTERED OFFICE

PURSUANT TO THE FROVISIONS OF SECTION 607.0501 or 617.0501, FLORIDA STATUTES, THE UNDERSIGNED CORPORATION, ORGANIZED UNDER THE LAWS OF THE STATE OF FLORIDA, SUBMITS THE FOLLOWING STATEMENT IN DESIGNATING THE REGISTERED OFFICE/REGISTERED AGENT, IN THE STATE OF FLORIDA.

- The name of the corporation is: AZTECA #3. INC.
- The name and address of the registered agent and office is:

Jesus Luna (Name)

625 N. E. Park St (P.O. Box not acceptable)

Okeechobee, Florida 34972 (City/State/Zipcode)

Having been named as registered agent and to accept service of process for the above state corporation at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

(Signature)

7-17~ (Date)

OI JUL 18 AM 9: 16

### Electronic Articles of Incorporation For

P18000085603 FILED October 11, 2018 Sec. Of State tjschroeder

PUNTO CALIENTE INC

The undersigned incorporator, for the purpose of forming a Florida profit corporation, hereby adopts the following Articles of Incorporation:

### Article I

The name of the corporation is: PUNTO CALIENTE INC

### Article II

The principal place of business address: 623 NE PARK ST

623 NE PARK ST OKEECHOBEE, FL. 34972

The mailing address of the corporation is:

623 NE PARK ST OKEECHOBEE, FL. 34972

### Article III

The purpose for which this corporation is organized is: ANY AND ALL LAWFUL BUSINESS.

### Article IV

The number of shares the corporation is authorized to issue is: 1,000

### Article V

The name and Florida street address of the registered agent is:

VANESSA RIVERA 623 NE PARK ST OKEECHOBEE, FL. 34972

I certify that I am familiar with and accept the responsibilities of registered agent.

Registered Agent Signature: VANESSA RIVERA

### Article VI

The name and address of the incorporator is:

VANESSA RIVERA 623 NE PARK ST

OKEECHOBEE, FL 34972

Electronic Signature of Incorporator: VANESSA RIVERA

I am the incorporator submitting these Articles of Incorporation and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of this corporation and every year thereafter to maintain "active" status.

### **Article VII**

The initial officer(s) and/or director(s) of the corporation is/are:

Title: P VANESSA RIVERA 623 NE PARK ST OKEECHOBEE, FL. 34972

### **Article VIII**

The effective date for this corporation shall be:

10/11/2018

P18000085603 FILED October 11, 2018 Sec. Of State tjschroeder

### **2019 FLORIDA PROFIT CORPORATION REINSTATEMENT**

DOCUMENT# P18000085603

Entity Name: PUNTO CALIENTE INC

**Current Principal Place of Business:** 

623 NE PARK ST

OKEECHOBEE, FL 34972

**Current Mailing Address:** 

890 NW 20TH LN

OKEECHOBEE, FL 34972 US

FEI Number: 83-2276568

Name and Address of Current Registered Agent:

Electronic Signature of Registered Agent

RIVERA, VANESSA 623 NE PARK ST

OKEECHOBEE, FL 34972 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: VANESSA RIVERA

12/21/2019

Date

FILED Dec 21, 2019

**Secretary of State** 

4737057831CR

Certificate of Status Desired: Yes

Officer/Director Detail:

Title

Ρ

Name RIVERA, VANESSA

Address

623 NE PARK ST

City-State-Zip: OKEECHOBEE FL 34972

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: VANESSA RIVERA

**OWNER** 

12/21/2019

### Electronic Articles of Organization For Florida Limited Liability Company

L19000253718 FILED 8:00 AM October 08, 2019 Sec. Of State nculligan

### Article I

The name of the Limited Liability Company is: AZTECA MARKET 3 LLC

### Article II

The street address of the principal office of the Limited Liability Company is:

1705 SOUTH PARROTT AVENUE OKEECHOBEE, FL. US 34974

The mailing address of the Limited Liability Company is:

1705 SOUTH PARROTT AVENUE OKEECHOBEE, FL. US 34974

### Article III

Other provisions, if any:

CONVENIENCE STORE

### Article IV

The name and Florida street address of the registered agent is:

JESUS LUNA 8890 NE 12TH LANE OKEECHOBEE, FL. 34974

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: JESUS LUNA

### Article V

The name and address of person(s) authorized to manage LLC:

Title: MGR JESUS LUNA 8890 NE 12TH LANE OKEECHOBEE, FL. 34974 US

Title: MGR YOLANDA LUNA 8890 NE 12TH LANE OKEECHOBEE, FL. 34974 US L19000253718 FILED 8:00 AM October 08, 2019 Sec. Of State nculligan

### Article VI

The effective date for this Limited Liability Company shall be:

10/08/2019

Signature of member or an authorized representative

Electronic Signature: JESUS LUNA

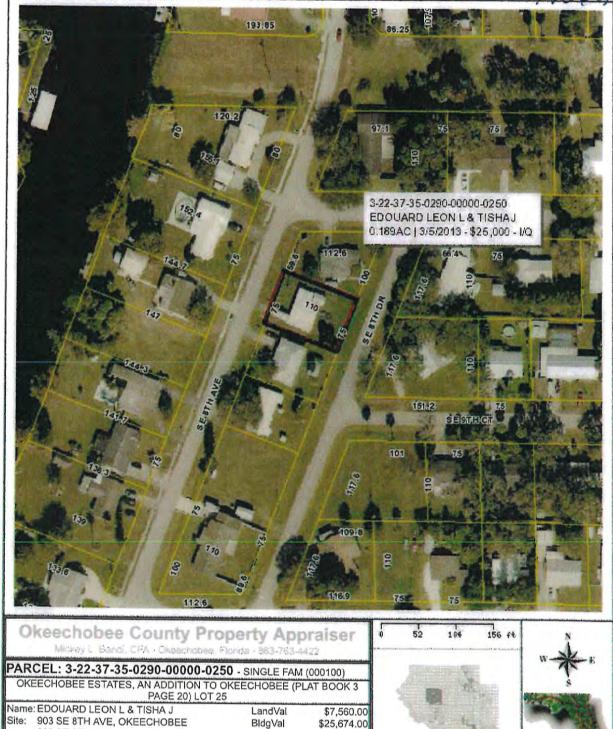
I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

Exhibit # VIII - A

Case Number 190626010

Leon & Tisha Edouard

Hand delived 4/27/19 NOV+ NOH 1970/2019 1:32:54 PM 1970/2010



Taxable \$31,673.00

This information, updated: 6/20/2019, was derived from data which was compiled by the Okeechobee County Property Appraiser's Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office. The assessed values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes.

\$35,288.00

\$35,288.00

\$35,288.00

\$0.00

ApprVal

JustVal

Assd

Exmpt

903 SE 8TH AVE

Sales

Info

OKEECHOBEE, FL 34974



### OKEECHOBEE POLICE CODE ENFORCEMENT

50 SE 2<sup>nd</sup> Ave. Okeechobee, Fl. 34974 863-763-9795 863-763-7804Fax



March 16, 2020

Case #190626010 Leon Edouard 903 SE 8<sup>th</sup> Ave Okeechobee, Fl 34974

Parcel #3-22-37-35-0290-00000-0250

Mailed order certified mail 08/20/2019 / received green card 08/26/2019 signed by Tisha Edouard.

Special Magistrate imposed a fine to start immediately \$50.00 a day then after 60 days if nothing had been done or no contractor hired fine goes to \$100.00 a day. An additional \$25.00 fee for Administrative costs. This case was found in violation for the following.

- 1. International Property Maintenance Code Chapters 108/108.1.1, .3 and .5
- 2. Florida Building Code Section 202
- 3. City Code Ordinance Chapter 30 Section 30-43 Public Nuisance

### 2019

August 4 days at \$50.00 = 200.00

September 30 days at = 1,500.00

Permit Issued on October 2, 2019

October 31 days at = 1,550.00

November 30 days at = 1,500.00

December 30 days at = 1,500.00

Total for 2019 = \$6,250.00

January 31 days at \$50.00 = \$1,550.00

February 29 days at \$50.00 = \$1,450.00

March 10 days at \$50.00 = \$500.00

Total for 2020 = \$3,500.00

2019 = \$6,250.00

2020 = \$3,500.00

Administrative Fee \$25.00

Total Amount Due = \$9,775.00

Permit was finalized on March 10, 2020 - Property in Compliance



### OKEECHOBEE POLICE CODE ENFORCEMENT

50 SE 2<sup>nd</sup> Ave. Okeechobee, Fl. 34974 863-763-9795

863-763-9795 863-763-7804Fax



Name: Leon & Tisha Edouard

Address:903 SE 8th Ave

City: Okeechobee, Florida 34974

Case#:190626010

This is a reminder that the above-mentioned case will appear before the Special Magistrate on

June 9, 2020 at 6:30pm in the City Council chambers located on the 2nd

floor of the City Hall at 55 SE 3<sup>rd</sup> Avenue. Your presence would be greatly appreciated.

This will be for Recommendation on Fine Reduction on the Above Stated Property.

Melissa Close

City of Okeechobee Code Enforcement 50 SE 2<sup>nd</sup> Ave. Okeechobee, Florida 34974

I will need the fine reduction form Notarized

to get you on the agenda me

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT 23,20 6123 Certified Mail Fee SOV+NIOH Fine Reduction Extra Services & Fees (check box,

Return Receipt (hardcopy) 0000 Postmark Here 3-17-20 Return Receipt (electronic) Certified Mail Restricted Delivery Adult Signature Required Adult Signature Restricted De 1120 190626010 7019 34974 3N 7630-02-000-9047 See Reverse for Instructions ate of Delivery ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restrict
Delivery
☐ Return Receipt for
Merchandise Signature Confirmation Domestic Return Receipt 3.2 Restricted Delivery 200 COMPLETE THIS SECTION ON DELIVERY ress different from item 1? delivery address below: 3. Service Type

Adult Signature

Cartified Maila

Certified Maila

Certified Mail Restricted Delivery

Certified Maila

Certified Maila

Certified Maila

Collect on Delivery Mail Mail Restricted Delivery (0) 2750 Okeechobee, FI 34974 Feon & Tisha Edouard 1040 SE 21st Street Attach this card to the back of the mailpiece, or on the front if space permits. Print your name and address on the reverse PS Form 3811, July 2015 PSN 7530-02-000-9053 9590 9402 5012 9063 7953 40 8123 SENDER: COMPLETE THIS SECTION so that we can return the card to you. 2. Article Number (Transfer from service label) 7019 1120 0000 ■ Complete items 1, 2, and 3.

### Melissa Close

From:

Gail Neu

Sent:

Tuesday, March 10, 2020 2:00 PM

To:

Melissa Close

Subject:

RE: Leon Edouard SE 8th Ave

I'm showing the following permits for 903 SE 8th Avenue.

Permit # 19-10-360 - Re-roof - Issued: 10-02-2019 - Permit is still open

Per Coil 3/7/202

Per Coil 3/7/202

Per Cosed

n. 3/10/22 Closed

Permit # 18-04-154 - Shed - Issued: 4-17-2018 - Closed: 4-19-2018

Please let us know if you need any additional information.

Thanks ~~Gail~~

From: Melissa Close <mclose@cityofokeechobee.com>

Sent: Tuesday, March 10, 2020 1:36 PM To: Gail Neu <gneu@cityofokeechobee.com>

Subject: Leon Edouard SE 8th Ave

Gail, Can you tell me what date the permit was issued for Leon Edouard 903 SE 8th Ave.

Melissa Close City of Okeechobee Code Enforcement Administrative Secretary (863)763-2626 Extension 9802 Fax (863) 763-7804



NOTICE: Florida has a very broad public records law. As a result, any written communication created or received by the City of Okeechobee officials and employees will be available to the public and media, upon request, unless otherwise exempt. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.



### Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,

VS

Respondent,

Leon & Tisha Edouard

Date

03/17/2020

CASE NO. 190626010

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: IPMC Chapters 108/108.1.1,.3&.5 Ch 30 Sec 30-43
- 2. Address and Parcel# where violation exists: 903 SE 8th Ave

3-22-37-35-0290-00000-0250

- Name and address of property owner or person in charge of location where violation exists: Leon & Tisha Edouard - 1040 SE 21st Street, Okeechobee, FI 34974
- 4. Description of Violation: Unsafe Structure, Unfit for Human Occupancy, See Exhibit "A"

"B" and "C" and Public Nuisance - Fine Reduction Request

- 5. Date violation must be corrected by:
- 6. Date violation first observed on or about 6/26/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 14th day APril 2020 at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la sección 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito . Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.



### OKEECHOBEE POLICE CODE ENFORCEMENT

50 SE 2<sup>nd</sup> Ave. Okeechobee, Fl. 34974 863-763-9795 863-763-7804Fax



March 20, 2020

Case #190626010

Leon & Tisha Edouard 903 SE 8<sup>th</sup> Drive Okeechobee, Florida 34974

Dear Mr. & Mrs. Edouard,

Due to the COVID-19 and that groups not allowed to exceed 10 people. Also, that we should stay 6 feet apart. We are canceling the April 14, 2020 Code Enforcement/Special Magistrate Hearing. At this time, we are unsure if we will be holding a May Hearing as well. I will keep you posted as to any changes that are made. I thank you for your cooperation and bringing your property into compliance. Be safe.

Sincerely,

Melissa Close

City of Okeechobee

nelsoa Crose

Code Enforcement Administrative Secretary

50 SE 2<sup>nd</sup> Ave

Okeechobee, Fl 34974

863-763-2626 Extension 9802

mclose@cityofokeechobee.com



### Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

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VS

Respondent,

Leon Edouard

Date

01/23/2020

CASE NO. 190626010

### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: IPMC 108/108.1.1, 108.1.3, 108.1.5 Ch 30 Sec 30-43
- 2. Address and Parcel# where violation exists: 903 Southeast 8th Avenue 3-22-37-35-0290-00000-0250
- 3. Name and address of property owner or person in charge of location where violation exists: Leon Edouard: 1040 Southeast 21st Street
- 4. Description of Violation: IMPC Section 108.1.1, 1.3, 1.5 Ch 30 Sec 30-43

& FL BLG Code 202

- 5. Date violation must be corrected by Feb 7, 2020
- 6. Date violation first observed on or about 6/26/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 11th day Fedruary at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.

- I. Case Number 191217007; Okeechobee-FLA Properties LLC 2000 Block South Parrott Avenue, Okeechobee, Florida 34974. Chapter 30 Section 30-43 Public Nuisance of the City of Okeechobee Code Ordinances. [The North ½ one half of the following described tract: Beginning 400 feet South of the Northeast corner of Southeast ¼ one fourth of the Northeast ¼ one fourth of Section 28, Township 37 South, Range 35 East, running West 361 feet more or less to East line of Parrott Avenue; thence South along said East line of Parrott Avenue; thence South along said East line of Parrott avenue 200 feet; thence East 361 feet, more or less East boundary line of Section 28; thence North along Section 200 feet to Point of Beginning, being a part of Southeast ¼ one fourth of Northeast ¼ one fourth of Section 28, Township 37 South, Range 35 East; being the same parcel transferred by Louisiana Raulerson and Peter Raulerson to S. J. Woddill, recorded on page 149 of Book 4, recorded of Okeechobee County, Florida. And the South ½ one half of the Northwest ¼ one fourth of the Southwest ¼ one fourth of the Northwest ¼ one fourth of Section 27, Township 37 South, Range 35 East] This case was deferred until the next scheduled Special Magistrate Hearing.
- J. Case Number 1909225012; Muhammad and Shahnaz Nooruddin 200 Block Northeast 12<sup>th</sup> Street, Okeechobee, Florida 34972. Chapter 30 Section 30-43 Public Nuisance and Section 30-44 General Cleaning of the City of Okeechobee Code Ordinances. [Lots 7,8,9,10, 23 and 24 Block 15 City of Okeechobee, according to the plat thereof in Plat Book 5, Page 5, public records of Okeechobee County, Florida] This case was deferred until the next scheduled Special Magistrate Hearing.
- **K.** Case Number 190925011; Muhammad and Shahnaz Nooruddin 200 Block Northeast 12<sup>th</sup> Street, Okeechobee, Florida 34972. Chapter 30 Section 30-43 Public Nuisance and Section 30-44 General Cleaning of the City of Okeechobee Code Ordinances. [Lots 21 and 22, Block 15, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5, Page 5, of the Public Record of Okeechobee County, Florida] This case was deferred until the next scheduled Special Magistrate Hearing.

### VI. REPEAT VIOLATIONS

A. Case Number 190626010; Leon Edouard 903 Southeast 8<sup>th</sup> Avenue, Okeechobee, Florida 34974. International Property Maintenance Code 108, 108.1.1, 108.1.3 and 108.1.5 Unsafe structure and Unfit for Human Occupancy, Chapter 30 Section 30-43 Public Nuisance of the City of Okeechobee Code Ordinances Florida Building Code Section 202 Dangerous Structure. [Lots 25 of Okeechobee Estates, A Subdivision of the County of Okeechobee, Florida, as shown in Plat Book 3, Page 20, public records of Okeechobee County, Florida (ss/es'13)]

Officer Sterling was sworn in and testified that the construction on the above property had come to a halt after a month. Building Official Jeffery Newell was sworn in and testified the framing of the roof was under construction, then gave the floor over to the contractor. Mr. Mossel was sworn in and testified that he is the contractor that was hired to do the roof repairs. Mr. Mossel stated that the job had come to a halt due to lack of funds. Mossel stated that he would be back on the job as soon as possible and finish up the roof. Special Magistrate ask Building Official Jeffery Newell what he would like to see done? Mr. Newell stated he was looking for a time frame as to when the roof would be completed. Mr. Mossel stated that it should be done in 2 to 3 weeks. Officer Sterling stated that they needed to make some other improvements on the property as

### CODE ENFORCEMENT SPECIAL MAGISTRATE THE CITY OF OKEECHOBEE, FLORIDA

CASE NO. 190626010

CITY OF OKEECHOBEE,

PETITIONER,

-VS-

RESPONDENT,

Leon Edouard

TILE NUM 201909100
OR BK 830 PG 89
SHARDH ROBERTSON, CLERK & COMPTROLLER
OKEECHOBEE COUNTY, FLORIDA
RECORDED 08/29/2019 10:34:32 AH
RECORDING FEES \$18.50
RECORDED 8Y G Heybourn
P9s 89 - 90; (2 pss)

### LIEN / ORDER

THIS CAUSE came before the Code Enforcement Board, City of Okeechobee, for public hearing on August 13, 2019. After due notice to the respondent, the Board having heard evidence on the alleged violation by witnesses or affidavit makes the following findings:

### A. FINDINGS OF FACT:

Lots: 25 Blk: Section: SE
Parcel: 3-22-37-35-0290-00000-0250
Property location: 903 SE 8<sup>th</sup> Ave
Property owner: Leon & Tisha Edouard

### B. CONCLUSIONS OF LAW:

The owner of the property described above has been found in violation of: Internailional Maintenance Code Ch 108 Sec 108.1.1,108.1.3, 108.1.5, Ch 30 Sec 30-44 and Fl. Building Code 202

C. ORDER: The City of Okeechobee Code Enforcement Special Magistrate has determined you have violated the Code of Ordinances Ch 30 Sec 30-43, IMPC 180/108.1.1, 108.1.3, 108.1.5 and Florida Building Code 202 concerning your property located at 903 SE 8th Ave , Okeechobee, FL.

If you do not correct the violation a Fine of 50.00 a day for 60 days, then if nothing fixed or have a contractor fine goes up to 100.00 a day. After 90 days this case will be brought Infront of The

Code Enforcement Officer of the correction, the Magistrate imposes a fine of \$50.00 per day, Also a onetime fee of 25.00 for administrative fees, commencing that date and continuing daily until the violation is corrected or the city is notified by you and verifies the correction, which ever first occurs. Further, if you do not correct the violation by said date, a copy of this order as a claim of lien, shall be recorded in the office of the Clerk of Circuit Court, Okeechobee County, Florida, and once recorded, becomes a lien on real and personal property pursuant to Florida Statute 162. You have a right within thirty days, to appeal this finding and order by Writ of Certiorari to the Circuit Court, Okeechobee County, Florida. If you correct the violation prior to the above date, it is your obligation to

Book830/Page89 CFN#2019009100

City Council for Foreclosure

Page 1 of 2

. or notify the

contact the Code Enforcement Officer to verify such compliance.

AGREED AND ORDERED this 19th day of Queguet 2019.
AGREED AND ORDERED this 19th day of Juguet 2019.  CITY OF OKEECHOBEE, Petitioner Respondent
CODE ENFORCEMENT City of Okeechobee, Florida
1000
Special Magistrate
Code Enforcement Officer
ATTECT
ATTEST:
Recording Secretary
STATE OF FLORIDA COUNTY OF OKEECHOBEE
PERSONALLY appeared before me the undersigned authority, Roger Azcona, Fred Sterling and Melissa Close, well known to me and known by me to be the Code Enforcement Special Magistrate, Code Enforcement Officer and Recording Secretary, respectively, of the CITY OF OKEECHOBEE CODE ENFORCEMENT.
SWORN TO AND SUBSCRIBED before the this 19th day of August ,2019
Harry Sue Christopher
My Commission expires:  MY COMMISSION # FF STATA  MY COMMISSION # FF STATA  EXPRESS AND # FF STATA  EX

Please return to: City of Okeechobee Code Enforcement 55 SE 3<sup>rd</sup> Avenue Okeechobee, FL 34974 (863) 357-1971

SHARON ROBERTSON CLERK SCHMTROLLER OKECHOBEE COUNTY. FLORIDA 312 N.M. 3 STREET, SUITE 155 OKECHOBEE F.R. 34972 683, 763, 2131 REF: SUITE 155 OKECHOBEE, F.R. 34972 683, 763, 2131 REF: DATE: 8729/2019 TIME: 10:34:32 AM RECEIPT: 2019007389 CLITY OF OKECHOBEE ACCOUNT #: 0  LIEM - 01 SAT RECD: 8/29/2019 10:34:32 AM FLEE: 2019009059 BK/PR 0: 830/81 CLITY OF OKECHOBEE COUNT WORTON JONATHON RECORDING FOR CHORDER OF SUITE OF SAT RECD: 8/29/2019 10:34:32 AM FLEE: 2019009059 BK/PR 0: 830/82 CLITY OF OKECHOBEE COUNT RECORDING FOR SUITE OF SAT RECD: 8/29/2019 10:34:32 AM FLEE: 2019009059 BK/PR 0: 830/82 CLITY OF OKECHOBEE COUNTING FOR SUITE OF OKECHOBEE PARAIOTT AARON RECORDING FOR SUITE OF OKECHOBEE SOUTH FLORIDA BARBEOUE OF OKECHOBEE SOUTH FLORIDA BARBEOUE OF OKECHOBEE SOUTH FLORIDA BARBEOUE OF OKECHOBEE RECORDING FEBS SUITE OF OKECHOBEE DESCRIPTING FEBS 18.50  LIEM - 04 LIEM RCD: 8/29/2019 10:34:32 AM FLE: 2019009059 BK/PR 0: 830/85 CLITY OF OKECHOBEE RECORDING FEBS 18.50  SUBTOTAL 18.50  LIEM - 05 LIEM RCCD: 8/29/2019 10:34:32 AM FILE: 2019009099 BK/PR 0: 830/87 CLITY OF OKECHOBEE RECORDING FEBS 18.50  SUBTOTAL 18.50  LIEM - 05 LIEM RCCD: 8/29/2019 10:34:32 AM FILE: 2019009099 BK/PR 0: 830/87 CLITY OF OKECHOBEE RECORDING FEBS 18.50  SUBTOTAL 18.50  LIEM - 05 LIEM RCCD: 8/29/2019 10:34:32 AM FILE: 2019009099 BK/PR 0: 830/87 CLITY OF OKECHOBEE RECORDING FEBS 18.50  SUBTOTAL 18.50  LIEM - 06 LIEM RCCD: 8/29/2019 10:34:32 AM FILE: 2019009099 BK/PR 0: 830/89 CLITY OF OKECHOBEE RECORDING FEBS 18.50  BURDOLR LEM RCCD: 8/29/2019 10:34:32 AM FILE: 2019009099 BK/PR 0: 830/89 CLITY OF OKECHOBEE RECORDING FEBS 18.50  BURDOLR LEM RCCD: 8/29/2019 10:34:32 AM FILE: 2019009099 BK/PR 0: 830/89 CLITY OF OKECHOBEE RECORDING FEBS 18.50  BURDOLR LEM RCCD: 8/29/2019 10:34:32 AM FILE: 2019009109 BK/PR 0: 830/89 CLITY OF OKECHOBEE RECORDING FEBS 18.50  BURDOLR LEM RCCD: 8/29/2019 10:34:32 AM FILE: 2019009109 BK/PR 0: 830/89 CLITY OF OKECHOBEE RECORDING FEBS 18.50			
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DOWNTOWN OKEECHOBEE LLC Recording Fees 18.50 Subtotal 18.50	Fees 18.50		•

CIL T OF CARROLLE CARROLL

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the malipiece, or on the front if space permits.

Article Addressed to:

lean Edouard 903 SE 8th Ave. Okerchober, 41. 34974

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2. Article Number (Transfer from service label)

Aail Restricted Delivery

COMPLETE THIS SECTION ON DELIVERY

Agent Addressee

D. Is delivery address different from item 1? The Yes If YES, enter delivery address below:

OKECHODER, FL 349174

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted
Delivery

3. Service Type

Daduit Signature
Daduit Signature Restricted Delivery
Detritied Mail®
Detritied Mail®
Delivery
Delivery Restricted Delivery

Domestic Return Receipt

PS Form 3811, July 2015 PSN 7530-02-000-9053

MAGISTRATE DISCUSSION - VOTE

# AGENDA //. PUBLIC HEARING ITEMS CONTINUED

A. Disposition of Cases presented by Code Officer Sterling continued.

Ch 30 Sec 30-43 Public Nuisance Ch 108 Sec 108.1.1, 108.1.3, 108.1.5 Unsafe Structure, Structure Unfit for Human Occupancy and Unsafe Equipment

Leon Edouard 903 SE 8th Avenue

Case No. 190626010

Case No. 19015005 Elizabeth Hare, 1115 NW 4th Street IPMC 108.1.3: Unfit for Human Occupancy 108.1.5: Dangerous Structure 304.1.1: Unsafe Conditions

Officer Sterling deferred the explanation of Case No. 190626010 over to City Building Official Jeffery Newell. The City Building Official stated that this case was brought to his attention from the City Code Enforcement, and that the neighbors had called and advised that the property to be a threat if a storm comes through. I was requested to advise the Code Enforcement of my findings. Jeffery Newell showed the evidence in the exhibit that the Code Enforcement had prepared. Mr. Newell stated that what we are looking for is the property owner to bring the structure up to code within 60 days, or if unable to do so have a reasonable explanation. Code Officer Sterling also stated that this property/owner is a repeat violator. Magistrate Azcona asked if after 60 days a fine of 50.00 would be enough? City Attorney Cook stated that perhaps a fine bigger would get the property owners to do something faster. Code Officer Sterling recommended a fine on 50.00 a day for 60 days after commencing proper notification, and then after that if nothing has been done, make the fine 100.00 a day.

testimony of the City Building Official, and the City Code Enforcement Officer. Magistrate Azcona ordered property owner Leon Edouard be fined \$50.00 a day for 60 days after proper notification and after the 60 days Sec. 30-43 Public Nuisance, Ch. 108 Sec 108.1.1, 18.1.3 & 108.1.5 (Unsafe Structure, Unfit for Human Occupancy and Unsate Structure and Equipment) also Fl. Building Code 202. Due to the evidence and Special Magistrate Azcona found Case No. 190626010 Leon Edouard 903 SE 8th Ave. to be in violation of Ch.30 if nothing has been done fine goes to \$100.00 a day. Plus a onetime fee of \$25.00 for administrative fees

owner. Officer Sterling stated that he spoke with the County Fire Marshall regarding doing a train burn. The County Fire Marshall told him other structures were too close to be done safely. Officer Sterling also stated that Mrs. Hare Officer Sterling Testified Notice of Violation/Notice of Hearing was sent via certified mail and received by the property has been given plenty of time Special Magistrate Azcona found case 19015005 in violation of IPMC 108 Sec 108.1.3 Unfit for Human Occupancy, 108.1.5 Dangerous Structure And 304.1.1 Unsafe Conditions. Due to the testimony and evidence provide by Code Enforcement Officer Sterling, Magistrate for Elizabeth Hare to be in violation and imposed a fine of \$25.00 a day 14 days after proper notification. Along with a onetime administrative fee of \$25.00



### CITY OF OKEECHOBEE BUILDING DEPARTMENT 55 SE THIRD AVENUE OKEECHOBEE, FL 34974

Tele: 863-763-9821 Fax: 863-763-1686

jnewell@cityofokeechobee.com

June 26, 2019

Inspection Report

Address: 903 SE 8th Avenue

Subject: Code Violations

The subject property was inspected by the City Building Official and the following code violations were observed:

- A) City of Okeechobee Property Maintenance Code:
  - 1) Section 108 "Unsafe Structures and Equipment"
    - a) Section 108.1.1 Unsafe Structure, see Exhibit "A"
    - b) Section 108.1.3 Structure Unfit for Human Occupancy, see Exhibit "A"
    - c) Section 108.1.5 (3,4,5,6,7,9), see Exhibit "A"
- B) City of Okeechobee Ordinances:
  - 1) Section 30-43 "Public Nuisances"
    - a) See Exhibit "B"
- C) Florida Building Code Existing Building:
  - 1) Section 202 "Definitions" See Exhibit "C"
- D) Photos of Property in Question:
  - 1) See Exhibit "D"

### Recommendation:

- 1) Bring Structure up to current code within sixty days.
- 2) Demolition of Structure within a reasonable timeframe.

Jeffery C Newell, Building Official for the City of Okeechobee, Florida.

[A] 107.3 Method of service.

Such notice shall be deemed to be properly served if a copy thereof is:

- Delivered personally;
- 2. Sent by certified or first-class mail addressed to the last known address; or
- If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

[A] 107.4 Unauthorized tampering.

Signs, tags or seals posted or affixed by the code official shall not be mutilated, destroyed or tampered with, or removed without authorization from the code official.

[A] 107.5 Penalties.

Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

[A] 107.6 Transfer of ownership.

It shall be unlawful for the *owner* of any *dwelling unit* or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* <u>or the owner's authorized agent</u> shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

### SECTION 108

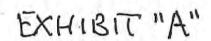
### UNSAFE STRUCTURES AND EQUIPMENT

[A] 108.1 General.

When a structure or equipment is found by the *code official* to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code.

[A] 108.1.1 Unsafe structures.

An unsafe structure is one that is found to be dangerous to the life, health, property or safely of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.



### [A] 106.3 Prosecution of violation.

Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

### [A] 106.4 Violation penalties.

Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

### [A] 106.5 Abatement of violation.

The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a building, structure or *premises*, or to stop an illegal act, conduct, business or utilization of the building, structure or *premises*.

### **SECTION 107**

### **NOTICES AND ORDERS**

### [A] 107.1 Notice to person responsible.

Whenever the *code official* determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.

### [A] 107.2 Form.

Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

- 1. Be in writing.
- 2. Include a description of the real estate sufficient for identification.
- 3. Include a statement of the violation or violations and why the notice is being issued.
- Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
- 5. Inform the property owner <u>or owner's authorized agent</u> of the right to appeal.
- 6. Include a statement of the right to file a lien in accordance with Section 106.3.

[A] 108.1.2 Unsafe equipment.

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

[A] 108.1.3 Structure unfit for human occupancy.

A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

[A] 108.1.4 Unlawful structure.

An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

[A] 108.1.5 Dangerous structure or premises.

For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

- Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
- The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
- Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
- 4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
- 5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
- The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

- 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
- 8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
- 9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
- 10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.
- 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

### [A] 108.2 Closing of vacant structures.

If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner or owner's authorized agent to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may shall be collected by any other legal resource.

### [A] 108.2.1 Authority to disconnect service utilities.

- (d) If the property is sold at public sale pursuant to subsection (c)(2) of this section, the city shall deduct from the proceeds the costs of transportation, storage, and publication of notice, and any balance of proceeds shall be deposited into an interest-bearing account not later than 30 days after the date of the sale and held there for one year. The city shall provide a bill of sale clearly stating that the sale is subject to any and all liens. The rightful owner of the property may claim the balance of the proceeds within one year from the date of the above stated deposit by making application to the city. If no rightful owner comes forward with a claim to the property within the designated year, the balance of the proceeds shall be deposited into the state school fund.
- (e) The owner of any abandoned or lost property who, after notice as provided in this section, does not remove such property within the specified period shall be liable to the city for all costs of removal, storage, and destruction of such property, less any salvage value obtained by disposal of the property. Upon final disposition of the property, the code enforcement officer shall notify the owner, if known; of the amount owed. In the case of an abandoned boat or motor vehicle, any person who neglects or refuses to pay such amount is not entitled to be issued a certificate of registration for such boat or motor vehicle, or any other boat or motor vehicle, until such costs have been paid. The code enforcement officer shall supply the state department of highway safety and motor vehicles with a list of persons whose boat registration privileges or whose motor vehicle privileges have been revoked under this subsection. Neither the department nor any other person acting as agent thereof shall issue a certificate of registration to a person whose boat or motor vehicle registration privileges have been revoked, as provided by this subsection, until such costs have been paid.
- (f) Whoever opposes, obstructs, or resists any code enforcement officer or any person authorized by the law enforcement officer in the discharge of their duties as provided in this section, upon conviction, is punishable as provided in section 1-15 of this Code.

- (g) Any code enforcement officer or any person authorized by the code enforcement officer is immune from prosecution, civil or criminal, for reasonable, good faith trespass upon real property while in the discharge of duties imposed by this section.
- (h) The rightful owner shall be liable for the city's costs for transportation and storage of lost or abandoned property and the city's cost for publication of notice of disposition of lost property. If the rightful owner does not pay such costs within 30 days of making claim to the property, title to the property shall vest in the city. (Code 1982, § 8-9)

State law reference-Similar provisions, F.S. § 705.103.

### Sec. 30-43. Public nuisances.

- (a) "Public nuisance" as defined in this section, means the existence of excessive accumulation of litter or untended vegetation, garbage, weeds, or other dead or living plant life; or places holding stagnant water, and all other objectionable, unsightly or unsanitary matter upon any lot, track of land within the city, whether uncovered or under shelter, to the extent and in the manner that such lot or parcel of land is, or may reasonably become infested or inhabited by rodents. vermin or wild animals, or may furnish a breeding place for mosquitoes, or threatens or endangers the public health, safety or welfare, including such condition causing or tending to cause disease, or by reason of such a condition, tends to impair the economic welfare of adjacent property; including abandoned or junk property as defined by this article; unsightly, derelict or unsafe building or structure which may constitute a hazard to safety, health, welfare or sense of public aesthetics by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.
- (b) All nuisances are declared to be a public nuisance and illegal within the municipal boundaries of the city, and shall be removed, corrected or otherwise satisfied at the direction of the city as provided in this article.
- (c) Any nuisance, except such nuisance as would be determined to be an emergency, existing within the city shall be brought before the code enforcement board of the city as provided in F.S. ch. 162.

Upon determination by the board that a nuisance does in fact exist, the landowner or custodian thereof shall take whatever corrective measures as directed by the board, within the time period provided by the board. The remedies available to the code enforcement board, in addition to those set forth in F.S. ch. 162, shall include the authority to authorize clean up or repair of the property to come into compliance; to recommend suspension or revocation of an occupational license until the property comes into compliance; and such further remedies as provided by law. If the code enforcement officer has reason to believe a violation or the condition causing the nuisance presents a serious threat to the public health, safety or welfare, or is irreparable or irreversible in nature, he shall make a reasonable effort to notify the violator, and may immediately notify the code enforcement board and request a hearing.

(d) If the owner, agent or person in custody of any property upon which such nuisance should exist, fail, neglect or refuse to comply with the direction of the code enforcement board within the time provided, and such is verified by the code enforcement officer, and the code enforcement officer confirms that the person responsible was noticed of the board action by certified mail, the code enforcement officer is empowered to authorize the property to be cleaned and the nuisance abated by his own agents or authorized contractors. Prior to commencing such abatement, the code enforcement officer shall obtain a reasonable estimate for such abatement and present the estimate to the city administrator for approval. If in the opinion of the city administrator the cost of abatement exceeds the reasonable value of the property or is otherwise not warranted, then enforcement of the order of the code enforcement board may proceed via other available alternatives under law. If abatement is approved, the code enforcement officer, his agents or contractors are authorized to enter upon such property and take whatever remedial measures are necessary to abate the nuisance to comply with the order of the code enforcement board, and to protect the health, welfare and safety of the citizens of the city. Notwithstanding this procedure, if the city administrator should determine that the nuisance is in the nature of an emergency or of such

an immediate danger or risk to the public as to imminently affect the public health, safety or welfare of the general public, then the city may enter upon such property at any time to take whatever remedial action as is deemed reasonable and necessary to abate the nuisance to ensure the public health and safety. In such instance, the city shall attempt all reasonable means to give the landowner, agent or person in custody of the property advance notice of the proposed actions of the city, although failure to achieve actual notice shall not prevent such abatement.

- (e) All costs incurred under this section for the abatement of the nuisance, including administrative code enforcement expenses; labor, equipment and material expenses; and any costs reasonably related to the abatement shall be the responsibility of the landowner. The total costs as calculated by the code enforcement officer shall be included in a resolution presented to the city council, who shall levy a special assessment lien against such lot. Such resolution shall describe the landowner, parcel number, legal description of parcel or lot, and provide the total cost assessed. Until payment is made in full, such assessment shall be a legal valid and binding obligation and lien upon the property. The assessment shall become due and payable to the city as of the date of mailing a copy of the resolution by certified mail by the code enforcement officer. Thirty days after mailing, interest shall commence to accrue on the assessment at the rate of 12 percent per annum on any unpaid portion thereof.
- (f) As soon as possible after the assessment has been levied, a certified copy of the resolution shall be recorded in the official records of the county clerk of court. The lien shall become effective as of the date of filing such copy with the clerk of the circuit court.
- (g) The property lien created under the provisions of this article, together with interest thereon, may be enforced by civil action, including foreclosure in the appropriate court in the county. The liens created by this article shall be a first lien equal in dignity and priority to a lien for nonpayment of property taxes, on any property against which an assessment of costs to abate the nui-

### **CHAPTER 2**

### DEFINITIONS

### SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words used in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the other Florida Building Code or the Florida Fire Prevention Code. Such terms shall have the meanings ascribed to them in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this chapter, such terms shall have the meanings as defined in Webster's Third New International Dictionary of the English Language, Unabridged.

### SECTION 202 GENERAL DEFINITIONS

ADDITION. An extension or increase in floor area, number of stories, or height of a building or structure.

ALTERATION. Any construction or renovation to an existing structure other than a *repair* or *addition*. Alterations are classified as Level 1, Level 2, and Level 3.

CHANGE OF OCCUPANCY. A change in the purpose or level of activity within a building that involves a change in application of the requirements of this code.

CODE OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this code.

### CONVENTIONAL LIGHT-FRAME CONSTRUCTION.

Limitations. Buildings are permitted to be constructed in accordance with the provisions of conventional light frame construction, subject to the following limitations:

 Buildings shall be limited to a maximum of three stories above grade.

Exception: Solid blocked cripple walls not exceeding 14 inches (356 mm) in height need not be considered a story.

- Bearing wall floor-to-floor heights shall not exceed 10 feet (3048 mm).
- Loads as determined in Chapter 16 of the Florida Building Code, Building shall not exceed the following:
  - 3.1. Average dead loads shall not exceed 15 psf (718 N/m²) for roofs and exterior walls, floors and partitions.

- Live loads shall not exceed 40 psf (1916 N/m²) for floors.
- Wind speeds shall not exceed 115 mph (161 km/hr)(3-second gust).
- 5. Roof trusses and rafters shall not span more than 40 feet (12 192 mm) between points of vertical support.

DANGEROUS. Any building, structure or portion thereof that meets any of the conditions described below shall be deemed dangerous:

- The building or structure has collapsed, partially collapsed, moved off its foundation or lacks the support of ground necessary to support it.
- There exists a significant risk of collapse, detachment or dislodgment of any portion, member, appurtenance or ornamentation of the building or structure under service loads.

EQUIPMENT OR FIXTURE. Any plumbing, heating, electrical, ventilating, air conditioning, refrigerating, and fire protection equipment, and elevators, dumb waiters, escalators, boilers, pressure vessels and other mechanical facilities or installations that are related to building services. Equipment or fixture shall not include manufacturing, production, or process equipment, but shall include connections from building service to process equipment.

**EXISTING BUILDING.** A building or structure or portion of a building or structure which has been previously legally occupied or used for its intended purpose.

EXISTING STRUCTURES (for flood hazard areas). See Section 1612.2 of the Florida Building Code, Building.

[B] FLOOD HAZARD AREA. The greater of the following two areas:

- The area within a flood plain subject to a 1-percent or greater chance of flooding in any year.
- The area designated as a flood hazard area on a community's flood hazard map, or otherwise legally designated.

HISTORIC BUILDING. See Section 1102.

INCIDENTAL USE AREA. In cases where use is incidental to some other occupancy, the section of this code governing the occupancy shall apply.

LOAD BEARING ELEMENT. Any column, girder, beam, joist, truss, rafter, wall, floor or roof sheathing that supports any vertical load in addition to its own weight or any lateral load.

LOCAL FLOODPLAIN MANAGEMENT ORDINANCE. An ordinance or regulation adopted pursuant to the authority granted to local governments by Title 44 Code of Federal Regulations, Sections 59 and 60 for participation in the National Flood Insurance Program.

EXHIBIT"C"

### Google Maps 903 SE 8th Ave



Image capture: Jun 2011

© 2019 Google

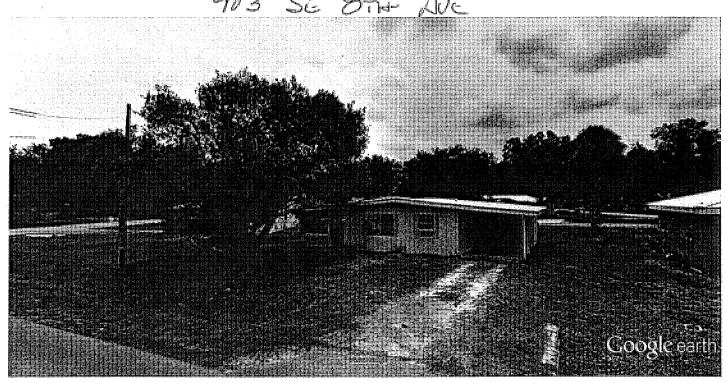
Okeechobee, Florida

Google

Street View - Jun 2011



403 SE STH LIVE



Google earth

Jeff please drive by and survey the condution Of this home. Code Enforcemente received a complaint from meighbor acrossfrom theme because conditioning home is deteriorated and they are concerned about home being blown against by high winds or hurricane and striburg their home. advise Code of your opinion so they Can contact Complainant 4/00/19









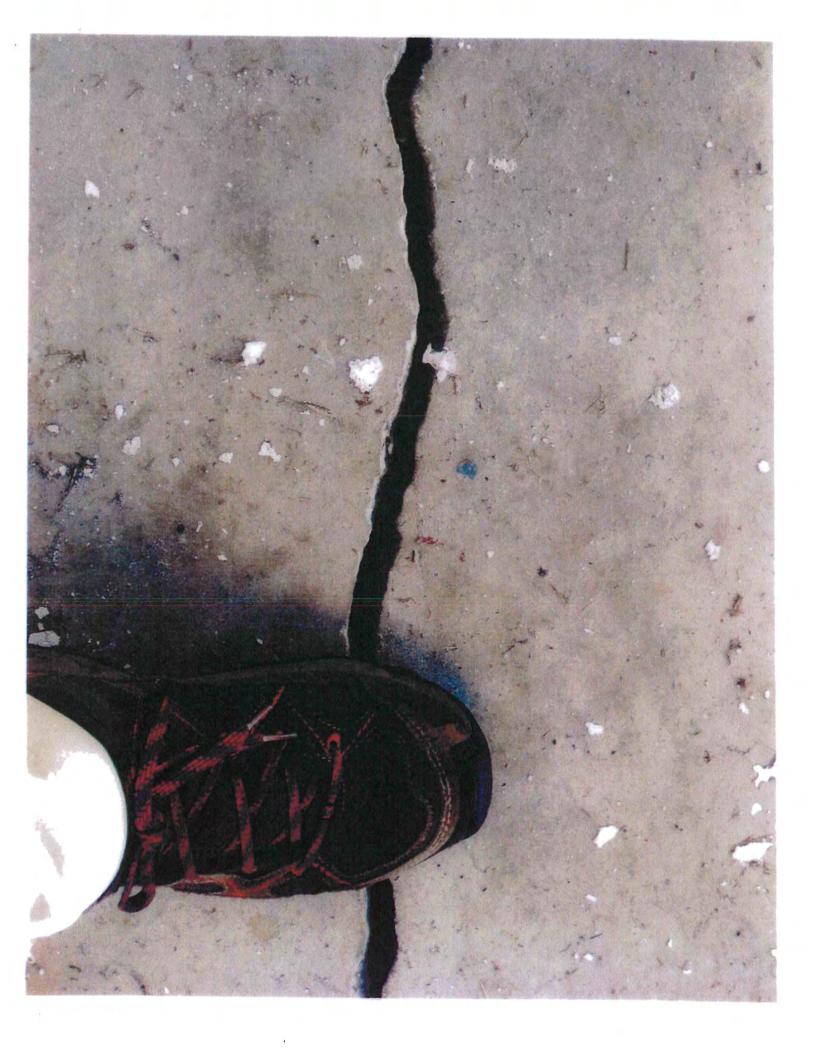
















# WARNING

Anomas 903 SE CHAUE

FOR HUMAN OCCUPANCY PER CODI

Section 30-43

MAN CAME CHOSE, FLORIDA



# Okeechobee City Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795/Fax 863-763-7804



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,		
vs	Date	06/27/2019
Respondent,	CASE NO.	190626010
Leon Edouard		

#### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: 1) 108.1.1, .3, .5 & 30-43 & 202
- 2. Address and Parcel# where violation exists: 903 Se 8th Ave., Okeechobee, Florida 34974
- 3. Name and address of property owner or person in charge of location where violation exists: 1040 SE 21st Street, Okeechobee, FI. 34974
- 4. Description of Violation: Violation Of IPMC Section 108-1.1, 1.3, 1.5 & City Ordinance 30-43 Public Nuisance & Florida Building Code Section 202
- 5. Date violation must be corrected by: 60 Days From proper Notification
- 6. Date violation first observed on or about: June 26th 2019

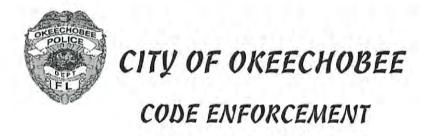
Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 13th day August 2019 at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

#### Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.



	CASE# 190626010
Leon Edouard	
903 SE 8th Ave.	
Okeechobee, FI	
그녀에 있는 사람들이 하는데 그렇게 그렇게 그렇게 하지 않는데 하다.	tice of Violation/Notice of Hearing hand chobee Code Enforcement Officer. $6 / 2 7 / 19$
Receipients Signature	Date
EDOUGED	
Printed Name	Drivers License
Date of Birth	

Parcel ID Number: 3-22-37-35-0290-00000-0250

Prepared by and return to: SUSIE BURK Okec-Tantie Title Company, Inc. 105 NW 6th Street Okecchobce, Florida 34972 FILE NO. 32503 PILE NUM 2013007347

DR BK 00733 PG 1552

SHARON ROBERTSON, CLERK OF CIRCUIT COURT

OKEECHOBEE COUNTY, FLORIDA

RECORDED 07/19/2013 03:10:37 PM

AMT 25,000.00

RECORDED BY 6 Membourn

P9s 1552 - 1553; (2pss)

#### Warranty Deed

This Indenture, Executed this March 5, 2013 A.D. Between

#### MARK MULLINS and DONNA MULLINS, HUSBAND and WIFE,

whose address is 1091 LOWER MIDDLE CREEK RD, BEDFORD, KY 40006, hereinafter called the grantor, to

#### LEON L. EDOUARD and TISHA J. EDOUARD, HUSBAND and WIFE,

whose post office address is: 903 SE 8TH AVE, Okeechobee, Florida 34974, hereinafter called the grantee:

(Whenever used herein the term "granter" and "granter" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Okeechobee County, Florida, viz:

Legal Description as Exhibit "A"

Parcel ID Number: 3-22-37-35-0290-00000-0250

Subject to covenants, restrictions, easements of record and taxes for the current year.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2013.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

State of Florida County of Okeechobee

The foregoing instrument was acknowledged before me this March 5, 2013, by MARK MULLINS and DONNA MULLINS, HUSBAND and WIFE, who is/are personally known to me or who has produced a drivers liegure as identification.

Notary Patric Stephen E. BURK

STEPHEN E. BURK
MY COMMISSION # DID 942514
EXPURES: December 10, 2013
Banded Tiru Notary Public Underwriters

Commission Expires

#### Exhibit "A"

LOT 25 OF OKEECHOBEE ESTATES, A SUBDIVISION OF THE COUNTY OF OKEECHOBEE, FLORIDA, AS SHOWN IN PLAT BOOK 3, PAGE 20, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA (ss/es'13)

PARCEL ID # 3-22-37-35-0290-00000-0250



File Number: 32503 Legal Description with Non Homestead Closer's Choice

Book733/Page1553 CFN#2013007347

Exhibit # VIII - B
Case Number 190712014
Heidi Sherer



This information, updated: 6/27/2019, was derived from data which was compiled by the Okeechobee County Property Appraiser's Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office. The assessed values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes.



# **City of Okeechobee**

### **Code Enforcement**

Case # 190712014

Name: Heidi Sherer

Property Location: 1115 SE 10th Street

**Code Board Action**: Imposed a fine starting January 13, 2020 @ \$25.00 per day for code violation Chapter 30 Section 30-43 Public Nuisance and Section 30-44 General Cleaning and Beautification

#### **Accrual of Fine:**

2020

20

January = 19 Days @ \$25.00 = \$475.00

February = 25 Days @ \$25.00 = \$625.00 Plus \$50.00 Admin Fee

March = days

April =days

May = days

June = days

July = days

August = days

September = days

October = days

November = days

December = days

Total = \$1,100.00

**Administrative Fee = \$50.00** 

**Total Amount Due = \$1,50.00** 

Date of Compliance - February 25, 2020



# OKEECHOBEE POLICE CODE ENFORCEMENT

50 SE 2<sup>nd</sup> Ave. Okeechobee, Fl. 34974 863-763-9795 863-763-7804Fax



Name: Heidi Sherer

Address:1115 SE 10th Street

City: Okeechobee, Florida 34974

Case#:191217007

This is a reminder that the above-mentioned case will appear before the Special Magistrate on

June 9, 2020 at 6:30pm in the City Council chambers located on the 2nd

floor of the City Hall at 55 SE 3<sup>rd</sup> Avenue. Your presence would be greatly appreciated.

This will be for recommendation on Fine Reduction on the Above Stated Property.

City of Okeechobee Code Enforcement

Melissa Close

50 SE 2<sup>nd</sup> Ave. Okeechobee, Florida 34974

# Okeechobee City, Florida Code Compliance Department

IN RE: The Matter of Heidi Shever Complaint # 19-0712014
Respondent(s)
Request for Reduction of Accrued Fine  I, Sherer hereby request a reduction of a fine imposed in the above referenced case and in support thereof would state the following information:
thereof would state the following information:
1. My name and current mailing address are: Held, Sherer, 1496 NE Hilltop Street, Januar Bachtz 34957
2. Physical address of the property which was the subject of the violation:  1115 SE 10th Styret, Occach obec, FL 34974
3. A Fine in the amount of \$ 25 - per day was imposed on the following date: 1.13.2020
4. The violations were corrected, and I was advised that the property came into compliance on the following date:
5. I am requesting that the accrued fine be reduced from \$ 1125.00 To: 8 19 MacUhan 1032
6. The accrued fine amount should be reduced because:  ON NOT VECEND NOTED: NO Phane COM and On STO
for surgery, re-admission due to complication; Boarfact
7. I Understand That I Must Be Present and Personally Appear Before the Code Enforcement Special Magistrate to Present and Defend This Request for A Reduction in The Fine. If I cannot personally appear, I hereby designate the following person to appear in my place:
(Illing) NIA
Signature of Respondent Signature of Respondent
Date:
The forgoing instrument was sworn to (or affirmed) and subscribed before me this 27th day of 12b 20 20
By Heidi Shere and Ma who produced as identification.
Signature of Notary Public - State of Florida
Print/Type/Stamped Name of Notary  JUSTIN PARCIASEPE
My commission expires: 10 05 3043  Notary Public - State of Florida Commission # GG 927339  My Comm. Expires Oct 28, 2023

From: Heidi Sherer <heidi.sherer@aol.com>

**Sent:** Tuesday, May 5, 2020 5:25 PM

To: Melissa Close

Subject: Re: April 14, 2020 Hearing

Melissa:

You are setting my hearing for May 12 or June 9 at 6:30pm. I would like to clear this up as soon as possible.

Please let me know.

Thanks!.

Heidi J. Sherer 863-763-1664

----Original Message----

From: Melissa Close <mclose@cityofokeechobee.com>

To: Heidi <heidi.sherer@aol.com> Sent: Tue, May 5, 2020 9:36 am Subject: RE: April 14, 2020 Hearing

Heidi, As far as I know we will be having a Special Magistrate Hearing on the May 12, 2020 @ 6:30 pm. I will send you a notice in regards to the date and time.

Thank you, Melissa Close

From: Heidi <heidi.sherer@aol.com> Sent: Friday, March 20, 2020 12:33 AM

To: Melissa Close <mclose@cityofokeechobee.com>

Subject: Re: April 14, 2020 Hearing

Thank you!

Sent from my iPhone

On Mar 19, 2020, at 10:52 AM, Melissa Close < mclose@cityofokeechobee.com > wrote:

Due to the Corona Virus we will not be having our regular scheduled Code Enforcement/Special Magistrate Hearing on April 14, 2020. I will keep everyone posted as to if we will be holding one in May. Everyone stay safe and have a wonderful day. Thank you,

Melissa Close City of Okeechobee Code Enforcement Administrative Secretary (863)763-2626 Extension 9802 Fax (863) 763-7804

From: Heidi <heidi.sherer@aol.com>
Sent: Friday, March 20, 2020 12:33 AM

To: Melissa Close

Subject: Re: April 14, 2020 Hearing

Thank you!

Sent from my iPhone

On Mar 19, 2020, at 10:52 AM, Melissa Close <mclose@cityofokeechobee.com> wrote:

Due to the Corona Virus we will not be having our regular scheduled Code Enforcement/Special Magistrate Hearing on April 14, 2020. I will keep everyone posted as to if we will be holding one in May. Everyone stay safe and have a wonderful day. Thank you,

Melissa Close
City of Okeechobee
Code Enforcement
Administrative Secretary
(863)763-2626 Extension 9802
Fax (863) 763-7804
<image001.png>

NOTICE: Florida has a very broad public records law. As a result, any written communication created or received by the City of Okeechobee officials and employees will be available to the public and media, upon request, unless otherwise exempt. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.

From:

Heidi <heidi.sherer@aol.com>

Sent:

Tuesday, March 17, 2020 11:01 AM

To:

Melissa Close

Subject:

Re: SOV & NOH - Fine Reduction

Ok please send me the packet so I can review it when you get a chance. I appreciate it, and will see you guys then.

Stay safe,

Sent from my iPhone

On Mar 17, 2020, at 10:13 AM, Melissa Close <mclose@cityofokeechobee.com> wrote:

Heidi,

Here is a copy of the Statement of Violation and Notice of Hearing for the April 14<sup>th</sup> Special Magistrate Hearing. I will also mail you a copy. You are not in violation, the property is in compliance. I will keep you posted on the Hearing as it gets closer to the date. I also have a packet put together and all you need to do is show up and talk to Special Magistrate Roger Azcona.

Thank you,
Melissa Close
City of Okeechobee
Code Enforcement
Administrative Secretary
(863)763-2626 Extension 9802
Fax (863) 763-7804
<image001.png>

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<SOV NOH Heidi Sherer.pdf>

From:

Heidi <heidi.sherer@aol.com>

Sent:

Monday, March 16, 2020 7:58 PM

To:

Melissa Close; Fred Sterling

Subject:

Fwd: Case Paperwork

#### Melissa:

I have confirmed on 3/5/20 that you have received my paperwork and I have a hearing on 4/14/20 at 6:30p.m. I have not received the hearing date letter from your office yet with the location of same, et al.

Please let me know if it's still going forward on this date. I appreciate it.

#### Thanks!

Heidi J. Sherer 863.763.1664 Sent from my iPhone

#### Begin forwarded message:

From: Heidi Sherer <heidi.sherer@aol.com> Date: March 6, 2020 at 1:37:31 PM EST

To: mclose@cityofokeechobee.com, heidi.sherer@aol.com

Subject: Re: Case Paperwork

#### Melissa:

As per our discussion yesterday, you confirmed receipt of my completed and notarized "Request for Reduction of Accrued Fine" on Case no 19-0712014. Further, you advised that I am scheduled for Tuesday, April 14, 2020 at 6:30pm for a hearing. Please confirm via email. I will await the documents in the mail at the Jensen Beach address as well.

#### Thank you!

----Original Message-----

From: Heidi <heidi.sherer@aol.com>

To: Melissa Close <mclose@cityofokeechobee.com>

Sent: Wed, Feb 26, 2020 11:44 am Subject: Re: Case Paperwork

Ok, I will proceed with same. Please let me know when and where I am on the docket. I am preparing the documents to forward to you this week.

Thank you,

Heidi J. Sherer

Sent from my iPhone

From:

Heidi Sherer <heidi.sherer@aol.com>

Sent:

Friday, March 6, 2020 1:37 PM

To:

Melissa Close; heidi.sherer@aol.com

Subject:

Re: Case Paperwork

#### Melissa:

As per our discussion yesterday, you confirmed receipt of my completed and notarized "Request for Reduction of Accrued Fine" on Case no 19-0712014. Further, you advised that I am scheduled for Tuesday, April 14, 2020 at 6:30pm for a hearing. Please confirm via email. I will await the documents in the mail at the Jensen Beach address as well.

Thank you!

----Original Message----

From: Heidi <heidi.sherer@aol.com>

To: Melissa Close <mclose@cityofokeechobee.com>

Sent: Wed, Feb 26, 2020 11:44 am Subject: Re: Case Paperwork

Ok, I will proceed with same. Please let me know when and where I am on the docket. I am preparing the documents to forward to you this week.

Thank you,

Heidi J. Sherer

Sent from my iPhone

On Feb 25, 2020, at 3:10 PM, Melissa Close <mclose@cityofokeechobee.com> wrote:

#### Mrs. Sherer,

Here is everything for the Case at 1115 SE 10<sup>th</sup> street. Please review and fill out the Fine Reduction Request form and Please have it notarized and mail back to me at 50 SE 2<sup>nd</sup> Avenue, Okeechobee, Florida 34974. I will get you on the agenda for the April Special Magistrate Hearing. I have also updated your mailing address and documented your phone number. If you have any questions please feel free to contact us. Thank you,

Melissa Close
City of Okeechobee
Code Enforcement
Administrative Secretary
(863)763-2626 Extension 9802
Fax (863) 763-7804
<image001.png>

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From: Heidi <heidi.sherer@aol.com>

Sent: Wednesday, February 26, 2020 11:44 AM

To: Melissa Close
Subject: Re: Case Paperwork

Ok, I will proceed with same. Please let me know when and where I am on the docket. I am preparing the documents to forward to you this week.

Thank you,

Heidi J. Sherer

Sent from my iPhone

On Feb 25, 2020, at 3:10 PM, Melissa Close <mclose@cityofokeechobee.com> wrote:

Mrs. Sherer,

Here is everything for the Case at 1115 SE 10<sup>th</sup> street. Please review and fill out the Fine Reduction Request form and Please have it notarized and mail back to me at 50 SE 2<sup>nd</sup> Avenue, Okeechobee, Florida 34974. I will get you on the agenda for the April Special Magistrate Hearing. I have also updated your mailing address and documented your phone number. If you have any questions please feel free to contact us.

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<doc01857220200225150417.pdf>
<doc01857020200225150009.pdf>
<doc01856920200225145954.pdf>

From:

Heidi Sherer <heidi.sherer@aol.com>

Sent:

Tuesday, February 25, 2020 2:33 PM

To:

Melissa Close; Fred Sterling

Subject:

Re: Sherer Property 1115 SE 10th Street -Grass is mowed-Please respond

Mailing address

1496 NE Hilltop Street, Jensen Beach, FL 34957

----Original Message----

From: Heidi Sherer <heidi.sherer@aol.com>
To: mclose <mclose@cityofokeechobee.com>

Sent: Tue, Feb 25, 2020 2:26 pm

Subject: Fwd: Sherer Property 1115 SE 10th Street -Grass is mowed-Please respond

Please see the following.

----Original Message-----

From: Heidi Sherer <heidi.sherer@aol.com>

To: fsterling <fsterling@cityofokeechobee.com>; heidi.sherer <heidi.sherer@aol.com>

Sent: Tue, Feb 25, 2020 2:22 pm

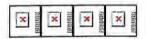
Subject: Sherer Property 1115 SE 10th Street -Grass is mowed-Please respond

Dear Mr. Sterling:

Please find the enclosed photos of my property at 1115 SE 10th Street; the mailing address for this property is in Jensen Beach. The only reason I found this notice is because I drove out to the lot and saw a sign the yard on Friday, 2/20/2020. I took care of the grass right away and here it is corrected. I do not have any notices from you or about any hearings; I would never have missed any hearings court or otherwise if I was notified. I fractured my back severely, and have been down for some time. Please let me know that you have received this notice as there should not be any accrual for fees.

Thank you,

Heidi J. Sherer Heidi.Sherer@aol.com 863-763-1664



From: Heidi Sherer <heidi.sherer@aol.com>
Sent: Tuesday, February 25, 2020 2:27 PM

To: Melissa Close

Subject: Fwd: Sherer Property 1115 SE 10th Street -Grass is mowed-Please respond

Please see the following.

----Original Message----

From: Heidi Sherer <heidi.sherer@aol.com>

To: fsterling <fsterling@cityofokeechobee.com>; heidi.sherer <heidi.sherer@aol.com>

Sent: Tue, Feb 25, 2020 2:22 pm

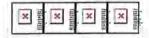
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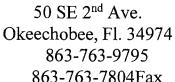
Thank you,

Heidi J. Sherer Heidi Sherer@aol.com 863-763-1664





# OKEECHOBEE POLICE CODE ENFORCEMENT





March 20, 2020

Case #191217007

Heidi Sherer 1115 SE 10<sup>th</sup> Street Okeechobee, Fl 34974

Dear Mrs. Sherer,

Due to the COVID-19 and that groups not allowed to exceed 10 people. Also, that we should stay 6 feet apart. We are canceling the April 14, 2020 Code Enforcement/Special Magistrate Hearing. At this time, we are unsure if we will be holding a May Hearing as well. I will keep you posted as to any changes that are made. I thank you for your cooperation and bringing your property into compliance. Be safe.

Sincerely,

Melissa Close

City of Okeechobee

Melissa Close

Code Enforcement Administrative Secretary

50 SE 2<sup>nd</sup> Ave

Okeechobee, Fl 34974

863-763-2626 Extension 9802

mclose@cityofokeechobee.com



# Okeechobee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

VS

Respondent,

Heidi Sherer

Date 03/17/2020

CASE NO. 191217007

#### STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Chapter 30 Section 30-43 and Section 30-44
- 2. Address and Parcel# where violation exists: 1115 SE 10th Street

3-22-37-35-0360-00000-0100

- Name and address of property owner or person in charge of location where violation exists:
   Heidi Sherer 1496 NE Hilltop Street, Jensen Beach, Florida, 34957
- 4. Description of Violation: General Cleaning and Beautification & Public Nuisance

Property was in Need of Being Mowed - In Compliance Now - Fine Reduction Request

- 5. Date violation must be corrected by:
- Date violation first observed on or about? 7/12/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 14th day APFII ZUZU at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

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Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

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U.S. Postal Service™ CERTIFIED MAIL® RECEIPT 2113 6123 SOVA NOH Time Reduct. Postmark Here Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (plandcopy)

Return Receipt (electronic)

\$ 0000 Certified Mail Restricted Delivery Adult Signature Required 191217007 Adult Signature Restricted Delivery S 1,1,20 Total Postage and Fees Sent Its Street and Act. No., or Sity, State, 219-34 7019 るみ 2 PS Form 3811, July 2015 PSN 7530-02-000-9053 SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Print your name and address on the reverse Article Number (Transfer from service label) Attach this card to the back of the mailpiece, or on the front if space permits. so that we can return the card to you. 7019 9590 9402 5012 9063 8059 26 DZT Jenson Beach, Fl 34957 496 NE Hilltop Street 0000 Heidi Sherer 🛬 EZTB ETTE B. Received by (Printed Name) A. Signature COMPLETE THIS SECTION ON DELIVERY Mail Restricted Delivery M. Carrice dress different from item 1? delivery address below: ☐ Priority Mall Express®
☐ Registered Mall™
☐ Registered Mail Restricted
Delivery Domestic Return Receipt ☐ Signature Confirmation™
☐ Signature Confirmation
Restricted Delivery ☐ Return Receipt for Merchandise 0 Date of Delivery ☐ Agent☐ Addressee □ No □ Yés 20/2020

CODE ENFORCEMENT SPECIAL MAGISTRATE
THE CITY OF OKEECHOBEE, FLORIDA

CITY OF OKEECHOBEE,

PETITIONER,

RESPONDENT.

LUEN / ORDER

ing on December 10., 20.19. After due notice to the respondent, the Board having heard

A. FINDINGS OF FACT:
Lots 10 Blk: Section: Brentwood Estate
Parcel: 1-22-37-35-0360-00000-0100
Properly location: 1115 SE: (0<sup>th</sup> Street
Properly owner: Heidi Sherer

B. CONCLUSIONS OF LAW:
The owner of the property described above has of Ch 30 Sec 20-43 & Sec 30-44 - Public Nuisi Cleaning and Beautification. Overgrown Veget

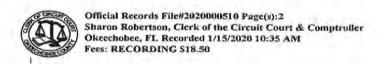
ses a fine of \$25,00 per day

ed in the office of the Clerk of Circuit Court, Okeochobes

12/30/2019 14:14

12-30-19 Heidi Sheree





# CODE ENFORCEMENT SPECIAL MAGISTRATE THE CITY OF OKEECHOBEE, FLORIDA

CASE NO. 190712014

CITY OF OKEECHOBEE,			
PETITIONER,			
-vs-			
RESPONDENT,			
Heidi Sherer	_/		
		LIEN / ORDER	
mean at a sum			

THIS CAUSE came before the Code Enforcement Board, City of Okeechobee, for public hearing on <u>December 10</u>, 20<u>19</u>. After due notice to the respondent, the Board having heard evidence on the alleged violation by witnesses or affidavit makes the following findings:

#### A. FINDINGS OF FACT:

Lots:10 Blk: Section: Brentwood Estates Parcel: 3-22-37-35-0360-00000-0100 Property location: 1115 SE 10th Street Property owner: Heidi Sherer

#### B. CONCLUSIONS OF LAW:

The owner of the property described above has been found in violation of Ch 30 Sec 30-43 & Sec 30-44 – Public Nuisance & General Cleaning and Beautification. Overgrown Vegetation

C. ORDER: The City of Okeechobes Code Enforcement Special Magistrate has determined you have violated the Code of Ordinances Ch 30 Sec 30-43 & 30-44 concerning your property located at 1115 Se 10th Street , Okeechobee, FL.

If you do not correct the violation Fourteen (14) day after proper notification , or notify the Code Enforcement Officer of the correction, the Magistrate imposes a fine of \$25.00 per day, Also a onetime fee of \$50.00 for administrative fees, commencing that date and continuing daily until the violation is corrected or the city is notified by you and verifies the correction, which ever first occurs. Further, if you do not correct the violation by said date, a copy of this order as a claim of lien, shall be recorded in the office of the Clerk of Circuit Court, Okeechobee County, Florida, and once recorded, becomes a lien on real and personal property pursuant to Florida Statute 162. You have a right within thirty days, to appeal this finding and order by Writ of Certiorari to the Circuit Court, Okeechobee County, Florida. If you correct the violation prior to the above date, it is your obligation to contact the Code Enforcement Officer to verify such compliance.

File Num # 2020000510 1/15/2020 2 of 2

AGREED AND ORDERED this 10 day of December, 2019.
CITY OF OKEECHOBEE, Petitioner Heid! Sherer Respondent
,
CODE ENFORCEMENT
City of Okeechobee, Florida
The same of the sa
Special Magistrate
Jul States
Code Enforcement Officer
ATTEST:
Melina Close
Recording Secretary
STATE OF FLORIDA COUNTY OF OKEECHOBEE
PERSONALLY appeared before me the undersigned authority, Roger Azcona,
Fred Sterling and Melissa Close , well known to me and known by me to be the Code Enforcement Special Magistrate, Code Enforcement Officer and Recording
Secretary, respectively, of the CITY OF OKEECHOBEE CODE ENFORCEMENT.
SWORN TO AND SUBSCRIBED before me this 17 day of Que . ,20/9.
Jurisa (forcia Notary Publik

Please return to: City of Okeechobee Code Enforcement 55 SE 3<sup>rd</sup> Avenue Okeechobee, FL 34974 (863) 357-1971

My Commission expires:

# CODE ENFORCEMENT SPECIAL MAGISTRATE THE CITY OF OKEECHOBEE, FLORIDA

CASE NO. 190712014

CIT OF OPPECTIONE	CITY	OF	OKEECHOBEE
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PETITIONER,

-vs-

Official Records File#2020000510 Page(s):2 Sharon Robertson Clerk of the Circuit Court & Comptroller Okeechobee, FL Recorded 1/15/2020 10:35 AM Fees: RECORDING \$18.50

RESPONDENT,

Heidi Sherer /

#### LIEN / ORDER

THIS CAUSE came before the Code Enforcement Board, City of Okeechobee, for public hearing on <u>December 10</u>, 20<u>19</u>. After due notice to the respondent, the Board having heard evidence on the alleged violation by witnesses or affidavit makes the following findings:

#### A. FINDINGS OF FACT:

Lots:10 Blk: Section: Brentwood Estates Parcel: 3-22-37-35-0360-00000-0100 Property location: 1115 SE 10<sup>th</sup> Street Property owner: Heidi Sherer

#### B. CONCLUSIONS OF LAW:

The owner of the property described above has been found in violation of Ch 30 Sec 30-43 & Sec 30-44 – Public Nuisance & General Cleaning and Beautification. Overgrown Vegetation

determined you have violated the Code of Ordinances Ch\_30\_Sec\_30-43 & 30-44

concerning your property located at 1115 Se 10<sup>th</sup> Street , Okeechobee, FL.

If you do not correct the violation Fourteen (14) day after proper notification , or notify the Code Enforcement Officer of the correction, the Magistrate imposes a fine of \$25.00 per day,

Also a onetime fee of \$50.00 for administrative fees, commencing that date and continuing daily until the violation is corrected or the city is notified by you and verifies the correction, which ever first occurs. Further, if you do not correct the violation by said date, a copy of this order as a claim of lien, shall be recorded in the office of the Clerk of Circuit Court, Okeechobee County, Florida, and once recorded, becomes a lien on real and personal property pursuant to Florida Statute 162. You have a right within thirty days, to appeal this finding and order by Writ of Certiorari to the Circuit Court, Okeechobee County, Florida. If you correct the violation prior to the above date, it is your obligation to contact the Code Enforcement Officer to verify such compliance.

AGREED AND ORDERED this 10 day of recember, 2019.
CITY OF OKEECHOBEE, Petitioner Heidi Sherer Respondent
CODE ENFORCEMENT City of Okeechobee, Florida
Special Magistrate
Jud Still
Code Enforcement Officer
ATTEST:
Recording Secretary
STATE OF FLORIDA COUNTY OF OKEECHOBEE
PERSONALLY appeared before me the undersigned authority, <u>Roger Azcona</u> , <u>Fred Sterling</u> and <u>Melissa Close</u> , well known to me and known by me to be the Code Enforcement Special Magistrate, Code Enforcement Officer and Recording Secretary, respectively, of the CITY OF OKEECHOBEE CODE ENFORCEMENT.
SWORN TO AND SUBSCRIBED before me this 1/7 day of Qec - ,20/9.
Lerisa Chrcia NOTARY PUBLIC
My Commission expires:
Notary Public State of Florida Terisa Garcia My Commission GG 270873 Expires 13/17/2022

Please return to: City of Okeechobee Code Enforcement 55 SE 3<sup>rd</sup> Avenue Okeechobee, FL 34974 (863) 357-1971

Officer Sterling testified that case 03-45 Suzette Quarles 1109 Northwest 8th Ave be Closed due to the date of October 2003 and that no Lien was ever filed on this case.  Special Magistrate Azcona recommended that Case 03-045 Suzette Quarles be close due to Officer Sterling's testimony	Code Enforcement Officer Sterling testified that the property at 114 Northeast 11th Street; Kenneth Nichols Case 17-020 be recommended for a fine reduction. Officer Sterling stated that the property was found in violation of Ch 30 Sec 30-41. A fine of &10.00 a day was imposed November 28, 2017 and the property was brought into compliance August 17, 2018. The fine ran for 262 days at \$10.00 a day for a total amount due of \$2,620; Officer Sterling request the fine be reduced to \$262.00 10% of the original amount.	Special Magistrate Azcona recommended that due to Code Officer Sterling's testimony; Case No. 17-020 Kenneth Nichols 114 Northeast 11 <sup>th</sup> Street, have his fine reduced to \$262.00 10% of the original fine amount of 2,620.00	Code Enforcement Officer Sterling testified that the property at 1115 Southeast 10th Street; Heidi Sherer. Case 190712014 has had ample notice regarding the violations on this property. Officer Sterling stated that we have sent certified letters with nothing returned and have posted the property. Officer Sterling stated that this is a vacant lot, and that this has been going on since July and nothing has been done.	Special Magistrate Azcona Found Case No. 190712014 Heidi Sherer 1115 Southeast 10th Street; In violation of Ch 30 Sec 30-43 Public Nuisance and Ch 30 Sec 30-44 General Cleaning and Beautification due to Code Officer Sterling's testimony. Magistrate Azcona imposed a fine of \$25.00 a day to start 14 days after proper notification. Also, to include a \$50.00 administrative fee.
AGENDA  VI. PUBLIC HEARING ITEMS CONTINUED  A. Disposition of Cases presented by Code Officer Sterling continued.  Case No. 03-045  Suzette Quaries 1109 Northwest 8th Ave  Recommendation for Case to be Closed	Case No. 17-020 Kenneth Nichols 114 Northeast 11th Street Request for Fine Reduction		Case No. 190712014 Heidi Sherer 1115 Southeast 10th Street Ch 30 Sec 30-43 Public Nuisance Ch 30 Sec 30-44 General Cleaning and Beautification	



# NOTICE TO APPEAR

Heidi Sherer

Respondent

By the date set forth AND contacts the undersigned Code Inspector to Unless Respondent corrects the violation described herein, Dated this 22 day of the month of November the year of 20 19 of December 20 19, at 6:30pm iolation(s) will be presented in the City Council Chambers, City Hall, erify compliance. NOTICE IS HEREBY GIVEN that the alleged 5 SE 3rd Avenue, Okeechobee, FL on the 10th (h30 Sec 30-44 General Cleaning + Beautification Ch 30 Sec 30-43 Public Noisance

Signed: Meliaga Close

Title: Code Enforcement

50 SE 2nd Avenue - Okeechobee, FL 34974 City of Okeechobee

863-1536



## NOTICE TO APPEAR

Heidi Sherer

Unless Respondent corrects the violation described herein,

Ch 30 Sec 30-43 Public Noisance

Ch 30 Sec 30-44 General Cleaning + Beau+Aca-how By the date set forth AND contacts the undersigned Code Inspector to verify compliance. NOTICE IS HEREBY GIVEN that the alleged violation(s) will be presented in the City Council Chambers, City Hall, 55 SE 3rd Avenue, Okeechobee, FL on the 10th day of December 20 | Q at 6:30pm

Dated this 22 day of the month of November the year of 20 19

Signed: Meliasa Close Title: Code Enforcement

City of Okeechobee 50 SE 2nd Avenue - Okeechobee, FL 34974

763-9795

Phonik Statute 190

12/04/2019 10:58

## Okeechooee Police Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

Petitioner,

vs

Respondent,

Heidi Sherer

Date

11/20/2019

CASE NO. 190712014

## STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Ch 30 Sec 30-43 & Sec 30-44
- 2. Address and Parcel# where violation exists: 1115 SE 10th Street

3-22-37-35-0360-00000-0100

3. Name and address of property owner or person in charge of location where violation exists:

Heidi Sherer: PO Box 2977, Okeechobee

4. Description of Violation: Mow and Weed Eat the Property

General Cleaning & Beautification, Public Nuisance

- 5. Date violation must be corrected by Dec 1, 2019
- 6. Date violation first observed on or about. 7/12/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 10th day December at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence.

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito. Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.

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## Okeechobee City Code Enforcement 50 SE 2nd Ave Okeechobee Florida 34974 863-763-9795 Phone 863-763-7804 FAX



CODE ENFORCEMENT FOR THE CITY OF OKEECHOBEE, FLORIDA.

titione	

VS

Respondent,

Heidi Sherer

Date

10/15/2019

CASE NO. 190712014

## STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Florida Statutes 162.02 and 162.12, Florida Statutes, and the Code of Ordinances of City of Okeechobee, I (hereinafter the "City of Okeechobee), the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the City of Okeechobee Code, as more particularly described herein, and hereby requests a Hearing before the Okeechobee City Code Enforcement Special Magistrate.

- 1. Violation of City Code Chapter/Section: Ch 30 Sec 30-43 & Ch 30 Sec 30-44
- 2. Address and Parcel# where violation exists: 1115 SE 10th Street

3-22-37-35-0360-00000-0100

3. Name and address of property owner or person in charge of location where violation exists:

Heidi Sherer: PO Box 2977 Okeechobee, FL. 34973

4. Description of Violation: Mow and Weed Eat the Property

General Cleaning and Beautification & Public Nuisance

- 5. Date violation must be corrected by Nov 1, 2019
- 6. Date violation first observed on or about. 7/12/19

Unless Respondent corrects the violation described herein by the date set forth above AND contacts the undersigned Code Inspector to verify compliance, with the Okeechobee City Code Section(s) cited herein, you are hereby called upon to take notice that a Hearing will be held in this cause before the City of Okeechobee Code Enforcement Magistrate on the 12th day November at 6:30 P.M., located at 55 SE 3rd Ave Okeechobee City Hall, Okeechobee Florida 34974 in Council Chambers. The Magistrate will receive testimony and evidence at said Hearing and shall make findings of fact and conclusions of law as are supported by the evidence and testimony, and shall make an order thereupon. You are entitled to be represented by counsel, present evidence, and present testimony. Please be advised that any evidence presented to the Magistrate for his consideration will be retained by Code Compliance Department. If you fail to appear at the hearing the Magistrate may enter an Order of Violation, & impose a fine in your absence

Fred Sterling Code Enforcement Officer

Any Person desiring to appeal any decision of the Code Enforcement Special Magistrate with respect to any matter considered at this hearing will need to ensure that a verbatim record of the proceedings is made and that the record includes the testimony and evidence upon which the appeal will be based. Code Enforcement Magistrate tapes are for the sole purpose of back up for the official records of the Code Enforcement Department.

In Accordance with Fla. Statute 162.11(2005), an aggrieved party may appeal a final administrative order to the circuit court. Such an appeal shall be filed within 30 days of the execution of the order to be appealed.

De acuerdo con la seccion 162.11 de los estatutos de la Florida, un partido que no esta en acuerdo puede apelar una orden administrativa final a la tribunal de circuito . Tal apelacion sera archivada en el plazo de 30 dias de la firma de la orden que se apelara.

CERTIFIED WAIT PRECEIPT

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50 S.E. 2nd Avenue • Okeechobee, Florida 34974



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10/23/2019 US POSTAGE \$006,80º

ZIP 34974 041M11455829

Okeechobee, FL 3497 PO Box 2977 Heidi Sherer

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PAN A SERVICE

UNABLE TO FORWARD

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT, IN AND FOR OKEECHOBEE COUNTY, FLORIDA

> PROBATE DIVISION File Number: 2012-CP-022

IN RE: THE ESTATE OF:

JERRY G. SHERER,

Deceased.

FILE NUM 2013010324
OR BK 737 PG 1108
SHARON ROBERTSON, CLERK OF CIRCUIT COURT
OKEECHOBEE COUNTY, FLORIDA
RECORDED 10/11/2013 02:33:20 PM
RECORDED BY H Pinon
Pes 1108 - 1110; (3 pes)

## PERSONAL REPRESENTATIVE'S RELEASE AND CERTIFICATE OF DISTRIBUTION OF REAL PROPERTY

THE UNDERSIGNED, HEIDI J. SHERER, whose post office address is P.O. Box 2977,

Okeechobee, Florida 34973, as Personal Representative of the estate of JERRY G. SHERER, deceased,

hereby acknowledges that title to the real property located in Okeechobee County, Florida, owned by
the Decedent at the time of death described as follows:

LOT 10, BRENTWOOD ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 31, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA

Property Appraiser's Parcel Identification Number 3-22-37-35-0360-00000-0100, (the "Property"), vested in HEIDIJ. SHERER, JAMES BRIAN SHERER and ERICA (SHERER) SCHWARTZ, whose post office addresses are: P.O. Box 2977, Okeechobee, Florida 34973, 4492 Darley Court, Hillard, Ohio 43026 and 11911 East Lake Circle, Greenwood Village, Colorado 80111, respectively, (the "Beneficiaries") by operation of law as of the date of the decedent's death pursuant to Florida law as will more fully appear from the proceedings in the Circuit Court for Okeechobee County, Florida, Probate Division, in Case No. 2012-CP-022, subject to the rights of the personal representative under Sections 733.607 and 733.608 of the Florida Probate Code to:

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Lien Ozdee

( Okeechobee Police Department

50 S.E. 2nd Avenue • Okeechobee, Florida 34974

FIRST-CLASS MAIL

US POSTAGE \$000.50º

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PO Box 2977 Heidi Sherer

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ATTEMPTED - MOT KNOWN UNABLE TO FORWARD

## OKEECHOBEE COUNTY 312 NW 3rd Street Okeechobee, FL 34972

Transaction#	2019041462	,
Receipt#	2020000365	
Print Date:	1/15/2020 10:38:3	3AM
Cashier Date: Client:	January 15, 2020 CITY OF OKEECHOE	BEE
17 Items		
RELEASE		
Instrument Nur	mber: 2020000499	
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RELEASE		
Instrument Nun	nber: 2020000501	
RECORDING FI BOCC FACC FEE TRUST FUND F COURT RELATE	EE	\$5.00 \$2.00 \$0.10 \$1.00 \$1.90
RELEASE		
Instrument Nun	nber: 2020000502	
RECORDING FE BOCC FACC FEE TRUST FUND F COURT RELATE	EE	\$5.00 \$2.00 \$0.10 \$1.00 \$1.90
SATISFACTION	L	
Instrument Nun	nber: 2020000503	
RECORDING FE BOCC FACC FEE TRUST FUND F COURT RELATE	EE	\$5.00 \$2.00 \$0.10 \$1.00 \$1.90
SATISFACTION		
Instrument Num	nber: 2020000504	
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RECORDING FEES BOCC FACC FEE TRUST FUND FEE	\$5.00 \$2.00 \$0.10 \$1.00
COURT RELATED PRMT	\$1.90
SATISFACTION Instrument Number: 2020000506	
RECORDING FEES BOCC FACC FEE TRUST FUND FEE COURT RELATED PRMT	\$5.00 \$2.00 \$0.10 \$1.00 \$1.90
SATISFACTION Instrument Number: 2020000507	
RECORDING FEES BOCC FACC FEE TRUST FUND FEE COURT RELATED PRMT	\$5.00 \$2.00 \$0.10 \$1.00 \$1.90
SATISFACTION Instrument Number: 2020000508	
RECORDING FEES BOCC FACC FEE TRUST FUND FEE COURT RELATED PRMT	\$5.00 \$2.00 \$0.10 \$1.00 \$1.90
LIEN Instrument Number: 2020000509	
RECORDING FEES BOCC FACC FEE TRUST FUND FEE COURT RELATED PRMT	\$9.00 \$4.00 \$0.20 \$1.50 \$3.80
LIEN 2020000540	
RECORDING FEES BOCC FACC FEE TRUST FUND FEE COURT RELATED PRMT	\$9.00 \$4.00 \$0.20 \$1.50 \$3.80
LIEN 2020000544	
RECORDING FEES BOCC FACC FEE TRUST FUND FEE COURT RELATED PRMT	\$9.00 \$4.00 \$0.20 \$1.50 \$3.80
LIEN Instrument Number: 2020000512	
RECORDING FEES BOCC	\$9.00 \$4.00

	<u> </u>
LIEN	
Instrument Number: 2020000513	
RECORDING FEES	\$9.00
BOCC FACC FEE	<u>\$4.00</u>
TRUST FUND FFF	<u>\$0.20</u> \$1.50
COURT RELATED PRMT	\$3.80
LIEN	
Instrument Number: 2020000514	
RECORDING FEES	\$9.00
BOCC FACC FEE	<u>\$4.00</u>
TRUST FUND FEE	<u>\$0.20</u> \$1.50
COURT RELATED PRMT	\$3.80
LIEN	
Instrument Number: 2020000515	
RECORDING FEES	\$9.00
BOCC	<u>\$4.00</u>
FACC FEE TRUST FUND FEE	\$0.20 \$1.50
COURT RELATED PRMT	<u>\$1.50</u> \$3.80
CHECK/CASHIERS CHECK	
AMOUNT: \$229.50 # 040876	
Total Payments	\$229.50
Total Fees	\$229.50
Shortage	\$0.00
Check Overage	\$0.00

Rec By:

Madalyn Pinon

Deputy Clerk

 $www.clerk.co.okeechobee.fl.us/Official\_Records.htm$ 

CITY OF OKEECHOBEE 55 S.E. 3RD AVENUE • OKEECHOBEE, FL 34974

REMITTANCE STATEMENT

NIET AMOLINIT	229.50			TOTAL 229.50
DISCOUNT			<del></del>	
GROSS AMOUNT	229.50			
INVOICE NO.	1/08/20 Filing Fees			Part and a second