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**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Condemnation Lien, Request for Reduction of Interest – Wayne Cleveland, present owner, 1109 First Drive, Sanford, represented by John Wright, Jr.

**DEPARTMENT:** Planning and Development      **DIVISION:** Administration - Planning and Development

**AUTHORIZED BY:** Dori DeBord

**CONTACT:** Dori DeBord

**EXT:** 7397

**MOTION/RECOMMENDATION:**

Board direction on accepting the settlement offer of \$4,000.00 for the Condemnation lien and interest totaling \$10,100.33, on the property owned by Wayne Cleveland, 1109 First Drive, Sanford as offered.

District 5 Brenda Carey

Dori L. DeBord

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**BACKGROUND:**

On March 4, 1994, the Board of County Commissioners adopted Resolution #94-R-66 requiring the Owner of this property, Mr. Wayne Cleveland, to demolish and remove all debris from the property by April 8, 1994. This property had been found in violation of Section 168, Part 1 of the Seminole County Code regarding the removal of unoccupied and unsafe structures as described in the memorandum to Commissioner Kelley by Albert W. Flores, Clearance Inspector. Mr. Cleveland was sent a certified letter on October 30, 1992 declaring the structure a public nuisance and giving him 30 days to begin removal of said structure. No response was received from the owner regarding the property and the nuisance structure was demolished by Seminole County on May 6, 1994. At the October 25, 1994 Board of County Commissioner meeting, the Board approved a Condemnation Lien for the amount of three thousand thirty five dollars and 77 cents (\$3,035.77) to be assessed against Mr. Cleveland for the demolition work done on the property. The lien was executed and recorded at ORB 2843 Pg 0040 on November 4, 1994.

Mr. Cleveland, who currently resides in Rochester, New York, contacted the Planning and Development Department in May 2007 in attempt to pay the Condemnation Lien on this property. Staff researched the records and determined the original lien was issued October 25, 1994 and said lien had accrued interest of \$6,154.66 with the period ending May 31, 2007. Mr. Cleveland spoke with the Planning and Development Director and expressed his interest in clearing the title to sell the property, but was unable to pay the interest accrued.

On January 18, 2008, Mr. Cleveland gave written authority to John Wright, Jr. to act in on his behalf in clearing the lien and title on this property. Mr. Wright has researched the lien and has offered to pay a total of \$4,000.00 to clear the original condemnation lien of \$3,035.77 and asks the Board to reduce the interest owed. Mr. Wright will be purchasing the property once lien is satisfied. The timeline on this violation is below:

DATE	ACTION	RESULT
October 30, 1992	A condemnation request was submitted to the District 5 Commissioner, Jennifer Kelley, on October 30, 1992 regarding the unoccupied building located at 1109 First Drive, Sanford, Florida. A certified letter was sent to the Owner of Record on October 30, 1992, notifying the Owner as to the unsafe condition and said structure was declared a public nuisance and must be demolished and removed from the property per Seminole County Ordinance 80-16.	The signed return receipt was received November 17, 1992 from the Owner. There is no record of response received by the County. (Exhibit A)
October 4, 1993	A second condemnation request was submitted to the District 5 Commissioner, Daryl McLain, on October 4, 1993 regarding the unoccupied building located at 1109 First Drive, Sanford, Florida. A certified letter was sent to the Owner of Record on October 4, 1993, notifying the Owner the structure was declared a public nuisance and must be demolished and removed from the property per Seminole County Ordinance 80-16 (now Seminole County Code Chapter 168).	The signed return receipt was received October 12, 1993 from the Owner. There is no record of response received by the County. (Exhibit B)
January 11, 1994	Seminole County Board of County Commissioners approved a request to declare the unoccupied building as a public nuisance and authorization to advertise and set a date for a public hearing to determine the outcome of the structure.	(Exhibit C)
February 2, 1994	A summons was issued to Owner to appear before the Board at the March 8, 1994 Seminole County Board of County Commissioners meeting regarding the nuisance structure on this property.	Served on Wayne Cleveland through the Sheriff's Office in New York. (See Exhibit D)
March 8, 1994	The Board met and adopted a resolution 94-R-66 (ORB 2071/Pg 2386) requiring the Owner to demolish and remove all debris from the property by April 8, 1994. The Board authorized staff to perform necessary corrective action in the event the nuisance was not abated by the Owner as outlined in Seminole County Ordinance 80-16	The property owner was served a summons to appear before the Board but did not appear. (Exhibit E)
May 6, 1994	The property was demolished by Seminole County when the nuisance structure was not abated by the Owner.	
October 25, 1994	The Board of County Commissioners approved a Condemnation Lien for the amount of Three thousand thirty five dollars and 77 cents (\$3,035.77) to be assessed against the Owner of the property for the demolition work done on the property and administrative costs.	Condemnation Lien was recorded November 4, 1994 with the Clerk of the Court, ORB 2843/0040. (Exhibit F)
May 2007	Owner came to pay condemnation lien. Staff didn't have information available to advise owner as payment due. Stated they would research the history and get back with him as to the status.	Staff researched the events leading to the demolition and condemnation of said property.

May 29, 2007	Letter with chronology of events and backup documentation sent to Wayne Cleveland from Planning & Development Director.	Certified mail receipt returned to the Planning & Development Director signed by Wayne Cleveland. (Exhibit G)
June 5, 2007	Director spoke with Mr. Cleveland as to the process of paying the lien and interest accrued per Ordinance 80-16.	Owner unable to pay the total owed at that point, would get back with Staff as to payment.
January 11, 2008	Received an email from Mr. John Wright, Jr. as to the acquiring the property from Mr. Cleveland.	District Commissioner's office received the email and forwarded to Planning & Development Director. Forwarded copy of letter and backup sent to Mr. Cleveland dated May 29, 2007 to Mr. Wright.
January 16, 2008	Request for Reduction of Interest. Mr. Wright acting as the agent for Mr. Cleveland has offered to pay a total of \$4,000 for the condemnation lien of \$3,035.77 and accrued interest.	January 17, 2008 – Planning & Development Director sent email explaining only the property owner can apply for a waiver of a lien or reduction of fees.
January 23, 2008	Received All-Purpose Acknowledgment and Power of Attorney statement, signed and notarized by Mr. Cleveland giving Mr. Wright power of attorney to act on his behalf in resolving this land matter.	Hand delivered by Beverly Wright.
January 23, 2008	Current total of condemnation lien and interest as of 3/11/08 is \$10,100.33	Interest as set by the Florida Comptroller's Office continues to accrue annually. (Exhibit H)

When considering this request and in developing a recommendation to the BCC, staff evaluated the amount of the lien compared to the value of the property and the actions the violator did or did not take in attempting to resolve the code violation. Per the Property Appraiser information, the assessed value of the property is \$10,238.00. The lien and interest as of March 11, 2008 totals \$10,100.33.

**STAFF RECOMMENDATION:**

Staff asks for Board direction on accepting the settlement offer of \$4,000.00 for the Condemnation lien and interest totaling \$10,100.33, on the property owned by Wayne Cleveland, 1109 First Drive, Sanford as offered.

**ATTACHMENTS:**

1. Exhibit A - 10/30/92 Letter to Comissioner and Owner
2. Exhibit B - 10/4/93 Letter to Commissioner and Owner
3. Exhibit C - 1/11/94 Agenda Memorandum and BCC Meeting Minutes
4. Exhibit D - 2/2/94 Summons to Owner to Appear served in New York
5. Exhibit E - 3/8/94 Agenda Memorandum and BCC Meeting Minutes
6. Exhibit F - 10/25/94 Agenda Memorandum and BCC Meeting Minutes
7. Exhibit G - 5/29/07 Letter to Wayne Cleveland
8. Exhibit H - Yearly Interest Rate on Judgments as set by Florida Comptroller

9. Property Appraiser Data

<b>Additionally Reviewed By:</b> <input checked="" type="checkbox"/> County Attorney Review ( Kathleen Furey-Tran )
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# Exhibit A

## MEMORANDUM

10/30/92

TO: Commissioner Jennifer Kelley, District 5  
Board of County Commissioners

FROM: Albert W. Flores, Clearance Inspector

THROUGH: David E. Beitz, Building Official

THROUGH: Ron H. Rabun, County Manager

SUBJECT: Condemnation,

Lot 21, Hardens Add, Section 31, Township 19, Range 31,  
Plat Book 07, Page 71, Public Records of Seminole County,  
FL (1109 First Dr.)

In accordance with County Ordinance 80-16, an investigation has been completed of the unoccupied building that is located on the above described property. The owner of Record as shown on the 1991-92 Tax Records is (Wayne Cleveland).

The unoccupied building constitutes a public nuisance for the following reasons:

1. The structure has been severely damaged by the elements of nature due to abandonment.
2. Foundation piers, exterior walls, exterior steps, floor framing and flooring, partitions, roof rafters and sheathing, ceiling joist, exterior and interior doors, roofing materials, roof flashing, window glass, window screens and window frames are damaged beyond reasonable repair.
3. Electrical service has been disconnected due to inactivity, electrical panels, electrical receptacles, electrical lights and switches are damaged to the extent that they are a hazard.
4. Plumbing fixtures, plumbing drain system, are damaged beyond reasonable repair or nonexistent.
5. There is no evidence of a septic tank or drainfield.
6. There is trash and debris inside and outside of the building.
7. This condition constitutes a potential fire hazard.
8. The condition and location of the property as is promotes loitering and creates a sanctuary for transients and drug users.

The Owner of Record has been notified as to the condition of said property by Certified Mail, Return Receipt. As further developments occur, your office will be notified.

Should you have any questions or comments regarding this matter, please do not hesitate to contact me.

c: County Manager  
Deputy County Manager/Community Services  
County Attorney

BK199PG3750

LEGIBILITY UNSATISFACTORY  
FOR MICROFILMING

COUNTY OF SEMINOLE



Building Department  
Phone 321-1130 Ext. 7469  
Date: 10/30/92

Seminole County Services Bldg.  
1101 East First Street  
Sanford, FL 32771

FLORIDA

Wayne Cleveland  
294 Wisconsin St.  
Rochester, NY 14609

Dear Mr. Cleveland:

A recent inspection of the below described property revealed the unoccupied structure is unsafe, unsuitable for occupancy and detrimental to the health, safety and welfare of the general public. This structure is a health and fire hazard due to inadequate maintenance, dilapidation and abandonment.

Lot 21, Hardens Add, Section 31, Township 19, Range 31,  
Plat Book 07, Page 71, Public Records Of Seminole County,  
FL (1109 First Dr.)

In accordance with Seminole County Ordinance Number 80-16, the above mentioned structure is declared to be a public nuisance and must be demolished and removed from the property. The demolition and removal of this structure must begin within thirty (30) days and be completed within ninety (90) days after receipt of this notice, or you may undertake the appeal process as outlined in Section Seven (7) of County Ordinance Number 80-16. In order for you to follow the appeal process, it will be necessary for you to appear before the Board of County Commissioners and present any relevant or material facts or evidence as to why the above mentioned structure should not be declared a public nuisance. If you wish to appeal to the Board of Commissioners, please let me know and I will request the Board to set a time and date for a hearing.

Failure to begin removal of this structure or Board of Commissioners within thirty (30) days may result in action being taken by the Court demolished and removed. All costs incurred demolition and removal of this structure will b

P 733 870 473

Certified Mail Receipt  
No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

<b>SENDER:</b> • Complete Items 1 and/or 2 for additional services. • Complete Items 3, 4 and 4a & 5. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: <b>WAYNE CLEVELAND</b> <b>294 WISCONSIN</b> <b>ROCHESTER, NY 14609</b>		4a. Article Number <b>P 733 870 473</b>	
5. Signature (Addressee) 		4b. Service Type <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
6. Signature (Agent) 		7. Date of Delivery <b>10/30/92</b> 8. Addressee's Address (Only if requested and fee is paid) <b>01 BK 199PG3751</b>	

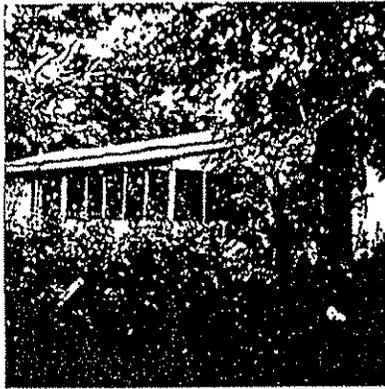
Sent to <b>WAYNE CLEVELAND</b>	
Street & No. <b>294 WISCONSIN ST.</b>	
P.O., State & ZIP Code <b>ROCHESTER, NY 14609</b>	
Postage	\$ .29
Continued Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$ 1.29
Postmark or Date	

S Form 3800, June 1990

LEGIBILITY UNSATISFACTORY  
FOR MICROFILMING

### PHOTOGRAPHS

MO.	DAY	YEAR	LOCATION OF OCCURRENCE	COMPLAINT NO.
10	27	92	1109 FIRST DR.	

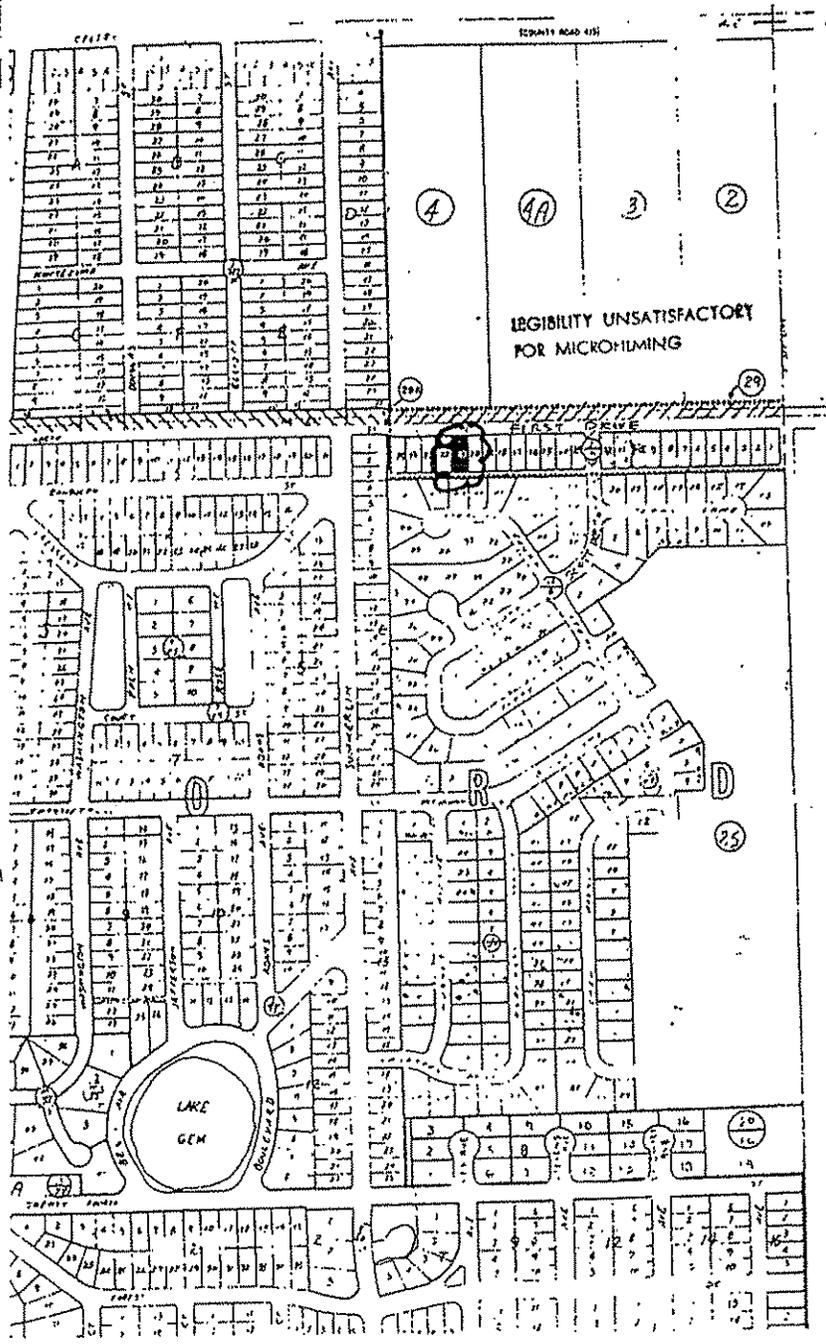


1109 FIRST DR.  
10/27/92



1109 FIRST DR.  
10/27/92

BK 199PG3752



# Exhibit B

## MEMORANDUM

TO: Commissioner Daryl McLain, District 5  
District Commissioner

FROM: Oroma B. Nwanodi, Clearance Inspector *OBN*

THROUGH: David E. Beitz, Building Official *DEB*

THROUGH: Ron H. Rabun, County Manager *RH Rabun*

DATE: October 4, 1993

SUBJECT: Condemnation.

LOT 21 HARDENS ADD PB 7 PG 71  
(1109 First Drive)

In accordance with County Ordinance Number 80-16, an investigation has been completed of the unoccupied building that is located on the above described property. The Owner of Record as shown on the 1992-93 Tax Records is Wayne Cleveland.

The unoccupied building constitutes a public nuisance for the following reasons:

1. The building has been severely damaged by the elements of nature due to abandonment.
2. Foundation piers, exterior walls, porch, exterior steps, exterior doors, floor framing and flooring, interior partitions, roofing materials, roof flashing, window glass, window screens and window frames are missing or damaged beyond reasonable repair.
3. Electrical service has been disconnected due to inactivity. Electrical panels, electrical receptacles, electrical lights, and switches are damaged to the extent that they are a hazard.
4. Plumbing fixtures, plumbing drain system; are damaged beyond reasonable repair or are nonexistent.
5. There is no evidence of septic tank or drain field.
6. There is trash and debris inside and outside the building.
7. This condition constitutes a potential fire hazard.
8. The condition and location of the property as is promotes loitering and creates a sanctuary for transients and drug users.

The Owner of Record has been notified as to the condition of said property by certified mail, return receipt request. As further developments occur, your office will be notified.

Should you have any questions or comments regarding this matter, please do not hesitate to contact me.

c: County Manager  
Deputy County Manager/Community Services  
County Attorney

obn/memo1.wcl

BK 199PG3748

LEGIBILITY UNSATISFACTORY  
FOR MICROFILMING

COUNTY OF SEMINOLE

DEVELOPMENT REVIEW DIVISION  
1101 EAST FIRST STREET  
SANFORD, FLORIDA 32771



PHONE 321-1130 EXT. 7332  
FAX: (407) 330 9594  
October 4, 1993

Mr. Wayne Cleveland  
294 Wisconsin Street  
Rochester NY 14609

FLORIDA Certified Mail No. P 365 433 999

Dear Mr. Cleveland:

RE: LOT 21 HARDENS ADD PB 7 PG 71  
(1109 First Drive)

A recent inspection of the above described property revealed the unoccupied structures are unsafe, unsuitable for occupancy and detrimental to the health, safety, and welfare of the general public. The structures are a health and fire hazard due to inadequate maintenance, dilapidation, and abandonment.

In accordance with Seminole County Ordinance 80-16, the above mentioned structures are declared to be a public nuisance and must be demolished and removed from the property. The demolition and removal of the structures must begin within thirty (30) days and be completed within ninety (90) days after receipt of this notice, or you may undertake the appeal process as outlined in Section Seven (7) of County Ordinance Number 80-16. To pursue the appeal process, it will be necessary for you to appear before the Board of County Commissioners and present any relevant or material facts or evidence as to why the above mentioned structures should not be declared a public nuisance. If you wish to appeal to the Board of Commissioners, please let me know and I will request the Board to set a time and date for a hearing.

Failure to begin removal of the structures or failure to appeal to the Board of Commissioners within thirty (30) days after receipt of this notice may result in action being taken by the County to have the structures demolished and removed. All costs incurred by the County for the removal of the structures will be assessed to you and may be property. If you have any questions concerning this at 321-1130, extension 7332.

P 365 433 999

Receipt for  
Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

SENDER: 066

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery  
Consult postmaster for fee.

3. Article Addressed to:  
WAYNE CLEVELAND,  
294 WISCONSIN STREET  
ROCHESTER NY 14609

4a. Article Number  
P 365 433 999

4b. Service Type  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
10-12-93

8. Addressee's Address (Only if requested and certified)  
RK 139 PG 3749

5. Signature (Addressee)  
*Wayne Cleveland*

6. Signature (Agent)

PS Form 3811, December 1991 © U.S.P.O. 1992-207-530 DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

PS Form 3800, June 1991

WAYNE CLEVELAND  
294 WISCONSIN STREET  
ROCHESTER NY 14609

\$

\$

10-4-93

K5(c)

Exhibit C

SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM

Subject: CONDEMNATION - 1109 FIRST DRIVE

Department: PLANNING & DEVELOPMENT DEPT.

Division: DEVELOPMENT REVIEW DIVISION

Authorized By: Tony VanDerworp (Director)

Contact: Glenn Sewanisin, P.E., Manager Ext. 7330

Date Submitted: 12/30/93 Agenda Date Requested: 1/11/94 Regular X Consent

NOTION/RECOMMENDATION:

Request the Board of County Commissioners to determine that an unoccupied building is a public nuisance and authorize: (A) Publication of Notice (B) Service of Notice (C) Development Review Division to set a date for Public Hearing

BACKGROUND:

PUBLIC NUISANCE DETERMINATION

- 1. On September 30, 1993, a visual inspection was made of the structure located at 1109 First Drive.

The inspection of the below described property revealed the unoccupied structure unsafe, unsuitable for occupancy and detrimental to the health safety, and welfare of the general public. This structure is a health and fire hazard due to inadequate maintenance, dilapidation, and abandonment. Further details disclosed in Memorandum dated October 4, 1993 (attached).

Reinspection on December 13, 1993 showed further structural deterioration.

LEGAL: LOT 21 HARDENS ADD PB 7 PG 71 (1109 First Drive)

OWNER: Wayne Cleveland  
294 Wisconsin Street  
Rochester NY 14609

DISTRICT: 5

Reviewed By: Co. Atty. <u>N/A</u> OMB <u>N/A</u> Finance <u>N/A</u> Central Svcs. <u>N/A</u> Risk Mgmt. <u>N/A</u> DCM <u>Kevin Grace</u> Other Bldg. Official <u>Drona Nwanodi</u> Submitted by: <u>Ron H. Babun</u> Ron H. Babun, County Manager	User Dept: <u>N/A</u> Advertised: _____ Dates: _____ Newspapers: _____ Not Required: <u>X</u> Affected Parties: _____ Notified: <u>Owner</u> Not Required: _____	Costs: Current FY <u>N/A</u> Total _____ Funding Source: _____ Capital Imp. _____ Operating _____ Other _____ Appropriation Code: _____ BK 199PG3747	Commission Action: Approved _____ Approve with _____ Conditions _____ Denied _____ Continued to _____ Attachments: Back-Up Item: a) Memorandum b) Letter - Certified Return Receipt c) Photographs d) Map JAN 11 1994
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Jan. 11, 1994

recordable documents for drainage/utility easements to be dedicated to the public.

Chris Hines, representing the applicant, addressed the Board to advise he has no additional comments.

Motion by Commissioner Henley, seconded by Commissioner McLain to grant waiver to the Subdivision Platting Requirements for property located on the south side of Lake Mary Boulevard, west of Greenwood Boulevard, adjacent to the Target Store, Reynolds Metals Development Company, subject to the following: (1) Dedication of new cross-access easements to Seminole County by separate instrument prior to final approval; and (2) Provide necessary drainage information to staff regarding private easements and recordable documents for drainage/utility easements to be dedicated to the public.

Districts 1, 2, 3, 4 and 5 voted AYE.

PLANNING & DEVELOPMENT/DEVELOPMENT REVIEW

Clearance Inspector, Oroma Nwanodi, presented various condemnation requests for the Board's consideration.

Motion by Commissioner McLain, seconded by Commissioner Furlong to determine that the following unoccupied buildings are public nuisances and authorize publication of notice, service of notice and setting date for public hearings:

- (1) 775 & 785 Monroe Road, Kenneth L. Barker
- (2) 2703 Hiawatha Avenue, Bob M. Ball, Sr.
- (3) 1109 First Drive, Wayne Cleveland
- (4) 1103 First Drive, Willie M. & Martha L. Griffin and Willie Erskin Griffin
- (5) 2590 Crawford Drive, Ruth Williams
- (6) 2301 Brisson Avenue, Whitley Davis Sr., Life Estates, Turner Davis and W. Davis, Jr.

Districts 1, 2, 3, 4 and 5 voted AYE.

PLANNING & DEVELOPMENT/COMPREHENSIVE PLANNING

Comprehensive Planning Manager, Frances Chandler, addressed the Board to request direction regarding the mechanism and process to use in reviewing and preparing affordable housing

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
IN AND FOR SEMINOLE COUNTY

IN RE: LOT 21 HARDENS ADD PG 2 PG 71 (1109 First Drive)  
Public Records of Seminole County, FL, presently (shown as  
being) owned by Wayne Cleveland and all parties having or  
claiming to have any right, title, or interest in the property  
described above.

S U M M O N S

STATE OF NEW YORK

To ALL and Singular the Sheriffs of  
the State of New York:

WHEREAS, the Board of County Commissioners of Seminole County, did on the 11th day of January, 1994, find and declare a structure located in Seminole County, to be unsafe, unsanitary, and a public nuisance; that the owner of the property (according to the property records in the Seminole County Appraiser's Office) on which the structure is located is Wayne Cleveland at 354 Wagonwheel Street, Rochester, NY 14609; that the public nuisance is a residential structure located at 1109 First Drive and further described as set forth above, and that corrective action is required to abate the public nuisance; and

WHEREAS, the Board of County Commissioners found that the following conditions constituted a public nuisance: (1) The building has been severely damaged by the elements of nature due to abandonment (2) There is trash and debris inside and outside of the building (3) This condition constitutes a potential fire hazard; and

WHEREAS, the following corrective action(s) necessary to abate the public nuisance is: To demolish and remove the building, trash and debris from the property.

NOW THEREFORE, you are hereby commanded to summon the said Wayne Cleveland and all parties having or claiming to have any right, title, or interest in the property described above, to appear before the Board of County Commissioners of Seminole County, Florida, at 1:30 P.M., at its regular hearing on the 9th day of March, 1994, at the Seminole County Services Building, Room 1020, 1101 East First Street, Sanford, Florida, to show cause, if any, why such structure should not be demolished and cleared from the property and the corrective action of abatement specified in the Notice of Public Nuisance should not be taken.

WITNESS my hand and seal this 2nd day of February, 1994

MARYANNE MORSE  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida.

By: Caylan Cohen

Deputy Clerk

1/27/94 jms:mc wcl

LEGIBILITY UNSATISFACTORY  
FOR MICROFILMING

Exhibit E

G-9

SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM

Subject: CONDEMNATION - 1189 FIRST DRIVE  
Department: PLANNING & DEVELOPMENT DEPT. Division: DEVELOPMENT REVIEW DIVISION  
Authorized By: Tony VanDerworp (Director) Contact: Glenn Scharisin, P.E., Manager Ext. 7339  
Date Submitted: 2/22/94 Agenda Date Requested: 3/8/94 Regular  Consent

PUBLIC HEARING 1:30 P.M.

NOTICE/RECOMMENDATION:

Request the Board of County Commissioners to adopt the attached Resolution requiring a previously declared Public Nuisance to be razed and to be abated by (April 8, 1994), authorizing necessary corrective action to be taken in the event the nuisance is not so abated.

BACKGROUND:

RESOLUTION CONSIDERATION

- 1. The Board of County Commissioners at its regularly scheduled meeting of January 11, 1994, considered a request from the Clearance Inspector to declare a structure located in Seminole County unsafe, unsanitary, and a public nuisance pursuant to Ordinance No. 88-16. After hearing the presentation the Board of County Commissioners declared that there exists on the hereinafter-described property a Public Nuisance.

STATEMENT OF THE PUBLIC NUISANCE

The owner of the property has had sixteen (16) months since initial inspection of the property to either renovate or demolish the building. There has been a steady decline in the condition of the property.

In the event Seminole County must take corrective action to abate the public nuisance, the cost of razing the structure and clearing the property, together with the cost incurred in the administration of the public nuisance certification, in the searching of the public records to determine ownership, and in serving the notice, shall be assessed against the owner of the affected property, and shall become a lien against the property as provided in Section 168.16, Seminole County Code.

LEGAL: LOT 21 HARDENS ADD PB 7 PG 71  
further described as 1189 First Drive.

OWNER: Wayne Cleveland  
294 Wisconsin Street  
Rochester, NY 14609

DISTRICT: 5

Reviewed By: <u>N</u> Co. Atty. _____ O&D <u>N/A</u> Finance <u>N/A</u> Control Svcs. <u>N/A</u> Risk Mgmt. <u>N/A</u> DCI <u>Kevin Gross</u> Other <u>Rick Offield</u> <u>Orson Bessard</u>	Date Dept: <u>N/A</u> Advertised: _____ Dates: <u>JANUARY 20 &amp; 27, 1994</u> <u>FEBRUARY 2 &amp; 16, 1994</u> Newspapers: <u>The Orlando Sentinel &amp; The Sentinel Herald</u> Not Required: _____ Affected Parties: _____ Notified: <u>I</u> Not Required: _____	Costs: Current FY <u>N/A</u> Total _____ Funding Source: _____ Capital Exp. _____ Operating _____ Other _____ Appropriation Code: _____	Commission Action: Approve _____ Approve with Conditions _____ Denied _____ Continued to _____ Attachments: Back-Up Items: a) Resolution Proposal b) Notice of Public Nuisance c) Summons d) Map
Submitted by: <u>Orson Bessard</u> Orson Bessard, County Manager			

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING OF MARCH 8, 1994.

WHEREAS, the Board of County Commissioners declared that a public nuisance existed on the following described property, to wit:

LOT 21 HARDENS ADD PB 7 PG 71 ACCORDING TO THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA further described as 1109 FIRST DRIVE.

at their regularly scheduled meeting of January 11, 1994; and

WHEREAS, the owner of the above-described property, is Wayne Cleveland and a copy of the written notice and a summons to appear before the Board of County Commissioners on March 8, 1994 was served on Wayne Cleveland; and

WHEREAS, a notice and summons were posted in a conspicuous place on the above-described property and that such notice and summons were combined and published once a week for four (4) consecutive weeks in two newspapers of general circulation in Seminole County prior to the public hearing; and

WHEREAS, the Board of County Commissioners held a public hearing and has determined that the public nuisance still exists on the above-described property.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

1. There hereby still exists a public nuisance on the following property:

LOT 21 HARDENS ADD PB 7 PG 71, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, further described as 1109 FIRST DRIVE.

2. The nature of the public nuisance is:

- (a) The building has been severely damaged by the elements of nature due to abandonment.
- (b) Foundation piers, exterior walls, porch, exterior steps, exterior doors, floor framing and flooring, interior partitions, roofing materials, roof flashing, window glass, window screens and window frames are missing or damaged beyond reasonable repair.
- (c) Electrical service has been disconnected due to inactivity. Electrical panels, electrical receptacles, electrical lights, and switches are damaged to the extent that they are a hazard.
- (d) Plumbing fixtures, plumbing drain system, are damaged beyond reasonable repair or are nonexistent.
- (e) There is no evidence of septic tank or drain field.
- (f) There is trash and debris inside and outside the building.

This instrument prepared by: Orona B. Nwanodi  
Seminole County Development  
Review Division  
January 31, 1994

BK201PG0048

(g) This condition constitutes a potential fire hazard.

(h) The condition and location of the property as it promotes loitering and creates a sanctuary for transients and drug users.

3. The owner of the above-described property, according to the property records in the Seminole County Property Appraiser's Office is:

Wayne Cleveland  
294 Wisconsin Street  
Rochester, NY 14609

4. In order to abate the public nuisance the following action is required:

(a) Demolish the buildings and remove the buildings from the property, and clear the property of all trash, debris, and rubbish.

5. The owner of the above-described property shall have until April 8, 1994, to take corrective action to abate the public nuisance or thereafter Seminole County shall go upon the property upon which the public nuisance exists and shall demolish the buildings and remove the buildings from the property and clear the property of all trash and debris to abate the public nuisance. The cost of demolishing the buildings and clearing the property, together with the cost incurred in the administration of the public nuisance certification, in the searching of the public records to determine the recorded owner and in serving the notice as specified in Section 168.6, Seminole County Code, shall be assessed against the owner of the affected property as provided in Section 168.18, Seminole County Code.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

ATTEST:

By: Dick Van Der Weide, District 3

MARYANNE MORSE  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida.

\_\_\_\_\_, Chairman

BK201PG0049

CERTIFIED COPY  
MARYANNE MORSE  
CLERK OF CIRCUIT COURT  
SEMINOLE COUNTY, FLORIDA  
BY S. L. WARD  
DEPUTY CLERK

NOTICE OF PUBLIC NUISANCE

The Board of County Commissioners of Seminole County, Florida, at its regularly scheduled meeting of January 11, 1994, considered a request from the Clearance Inspector to declare a structure located in Seminole County unsafe, unsanitary, and a public nuisance pursuant to Ordinance No. 80-16. After hearing the presentation of the Clearance Inspector the Board of County Commissioners declared that there exists on the hereinafter-described property a Public Nuisance.

Description of property:

LOT 21 HARDENS ADD PB 7 PG 71  
further described as 1109 First Drive.

Name and address of owner:

Wayne Cleveland  
294 Wisconsin Street  
Rochester, NY 14609

Description of the conditions which constitute finding of public nuisance:

- (1) The building has been severely damaged by the elements of nature due to abandonment.
- (2) Foundation piers, exterior walls, porch, exterior steps, exterior doors, floor framing and flooring, interior partitions, roofing materials, roof flashing, window glass, window screens and window frames are missing or damaged beyond reasonable repair.
- (3) Electrical service has been disconnected due to inactivity. Electrical panels, electrical receptacles, electrical lights, and switches are damaged to the extent that they are a hazard.
- (4) Plumbing fixtures, plumbing drain system, are damaged beyond reasonable repair or are nonexistent.
- (5) There is no evidence of septic tank or drain field.
- (6) There is trash and debris inside and outside the building.
- (7) This condition constitutes a potential fire hazard.
- (8) The condition and location of the property as it promotes loitering and creates a sanctuary for transients and drug users.

Corrective action required:

Demolish and remove structure, trash, and debris from the premises.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: Dick Van Der Weide

Chairman

Date: 1/18/94

BK201PG0050

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
IN AND FOR SEMINOLE COUNTY

IN RE: LOT 21 WARDENS ADD PD 7 PG 71 (1109 First Drive)  
Public Records of Seminole County, FL, presently (shown as  
being) owned by Wayne Cleveland and all parties having or  
claiming to have any right, title, or interest in the property  
described above.

S U M M O N S

STATE OF NEW YORK

TO ALL and Singular the Sheriffs of  
the State of New York:

WHEREAS, the Board of County Commissioners of Seminole County, did on the  
11th day of JANUARY, 1994, find and declare a structure located in Seminole  
County, to be unsafe, unsanitary, and a public nuisance; that the owner of  
the property (according to the property records in the Seminole County  
Appraiser's Office) on which the structure is located is Wayne Cleveland of  
204 Wagonwheel Street, Rochester, NY 14609; that the public nuisance is a  
residential structure located at 1109 First Drive and further described as  
set forth above, and that corrective action is required to abate the public  
nuisance; and

WHEREAS, the Board of County Commissioners found that the following  
conditions constituted a public nuisance: (1) The building has been severely  
damaged by the elements of nature due to abandonment (2) There is trash and  
debris inside and outside of the building (3) This condition constitutes a  
potential fire hazard; and

WHEREAS, the following corrective action(s) necessary to abate the public  
nuisance is: To demolish and remove the building, trash and debris from the  
property.

NOW THEREFORE, you are hereby commanded to summon the said Wayne Cleveland  
and all parties having or claiming to have any right, title, or interest in  
the property described above, to appear before the Board of County  
Commissioners of Seminole County, Florida, at 1:30 P.M., at its regular  
hearing on the 9th day of March, 1994, at the Seminole County Services  
Building, Room 1020, 1101 East First Street, Sanford, Florida, to show cause,  
if any, why such structure should not be demolished and cleared from the  
property and the corrective action of abatement specified in the Notice of  
Public Nuisance should not be taken.

WITNESS my hand and seal this 2nd day of February, 1994

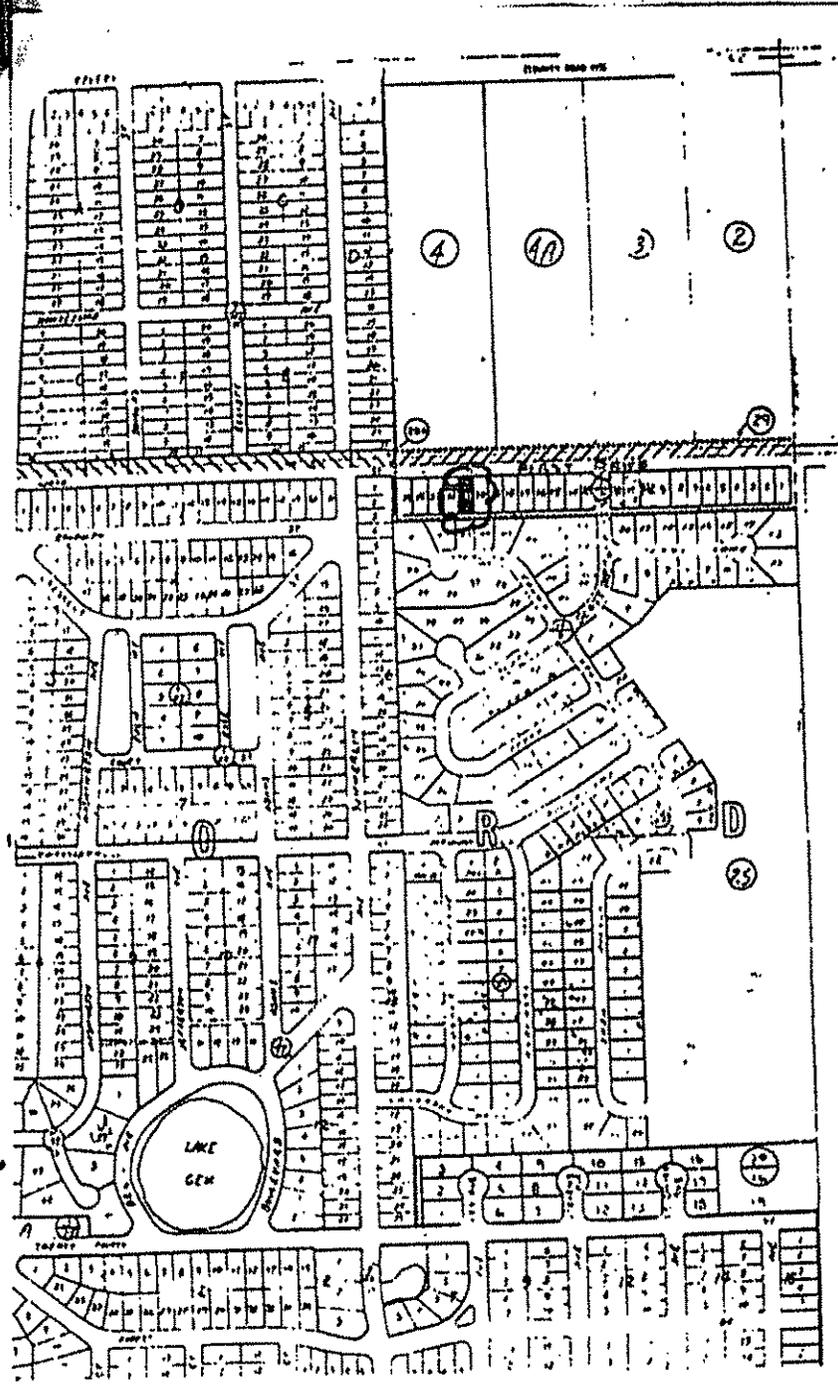
MARYANNE MORSE  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida.

By: Cynthia Cohen  
Deputy Clerk

01/27/94 10:00 AM vcl

LEGIBILITY UNSATISFACTORY  
FOR MICROFILMING

6K20160051



LEGIBILITY UNSATISFACTORY  
FOR MICROFILMING

Mar. 8, 1994

has been a long-term abandoned property. Photographs regarding same were received and filed.

No one else spoke in support or in opposition.

District Commissioner McLain stated he cannot see that it is in the best interest of the public health, safety and welfare to allow this to continue without some kind of structured plan to get the house back in order. However, he said he would like to give Mr. Ball a certain amount of time to investigate other possibilities such as Habitat for Humanity in order to see if the house could be salvaged in a reasonable period of time.

Motion by Commissioner McLain, seconded by Commissioner Warren to adopt appropriate Resolution #94-R-65, as shown on page 80, requiring a previously declared Public Nuisance described as 2703 Hiawatha Avenue, Sanford, Bob M. Ball, Sr., owner, as described in the proof of publication, to be razed and abated by June 8, 1994; and authorizing necessary corrective action to be taken in the event the nuisance is not so abated, subject to Mr. Ball immediately securing the home within 30 days, making sure all entrances and windows are properly secured.

Under discussion, District Commissioner McLain stated he would expect Mr. Ball to go out tomorrow to secure the building and report back to him on the process of this.

Districts 1, 2, 3, 4 and 5 voted AYE.

CONSIDERATION OF CONDEMNATION,  
WAYNE CLEVELAND

Proof of publication, as shown on page 82, calling for a public hearing to consider Condemnation of property described as 1109 First Drive, Sanford, Wayne Cleveland, owner, received and filed.

Mr. Semanisin requested adoption of resolution requiring the public nuisance to be razed and abated by April 8, 1994.

No one spoke in support or in opposition.

Motion by Commissioner McLain, seconded by Commissioner Furlong to adopt appropriate Resolution #94-R-66, as shown on page

Mar. 8, 1994

84, requiring a previously declared Public Nuisance described as 1109 First Drive, Sanford, as described in the proof of publication, to be razed and abated by April 8, 1994; and authorizing necessary corrective action to be taken in the event the nuisance is not so abated, Wayne Cleveland, owner.

Districts 1, 2, 3, 4 and 5 voted AYE.

CLERK'S REPORT - CONSENT AGENDA

Motion by Commissioner Furlong, seconded by Commissioner McLain to approve and authorize the following:

1. Expenditure Approval Lists, as shown on page 86, dated February 25 and March 8, 1994; and Payroll Approval Lists, as shown on page 106, dated February 24 and March 3, 1994.
2. Chairman to execute the following Satisfactions of Judgment for Bail Bond Liens:

Terri Lee Jewett - \$105  
Dorothy Wooten - \$255  
Scott Swain - \$210  
William Allen Manning and Bankers Ins. Co. & (Amended)  
Amwest Surety - \$629.50  
Cheryl Ann Jackson and Accredited Surety & Casualty  
Company, Inc. - \$629.50

Districts 1, 2, 3, 4 and 5 voted AYE.

-----  
The Board noted, for information only, the following Clerk's "received and filed":

1. Purchase and Improvement Relocation Agreements, as shown on page 108 (Bids 946 and 947) with Youngblood & Sons Building Movers, Inc., as executed by the Acting Purchasing Manager on Jan. 27, 1994.
2. Second Amendment to Copier Service Agreement, as shown on page 144, with Barson's Office Products, Inc., as executed by the Acting Purchasing Manager on Feb. 17, 1994.
3. Maintenance Bond and Certificate of Title, as shown on page 147, for Tuska Ridge Unit 4, Phase 2.
4. Recorded Resolution #93-R-225, as shown on page 154, vacating and abandoning right-of-way, for William Glenn Roy, Jr. and Richard Rivard.
5. Recorded Development Orders, as shown on page 157, for John & Gail Harbeck dated Feb. 7, 1994; Conrad & Rhonda Key dated Feb. 9, 1994; Archie Smith, President, Sanford Boat Works and Marina, dated Feb. 3, 1994; Hickman Enterprises dated Jan. 28, 1994; Dale & Teresa Coleman dated Jan. 28, 1994; Sprint United Telephone of Florida dated Jan. 24, 1994; and Orangewood Presbyterian Church dated Jan. 24, 1994.

## SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

Subject: Condemnation - 1109 FIRST DRIVE

Department: PLANNING & DEVELOPMENT DEPT. Division: BUILDING & FIRE DIV.  
 Authorized By: Tony VanDerworp (Director) Contact: David E. Beitz Ext. 7331  
 Date Submitted: 9/14/94 Agenda Date Requested: 10/25/94 Regular  Consent

**MOTION/RECOMMENDATION:**

Request the Board of County Commissioners to assess the attached Condemnation Lien to recover costs incurred by Seminole County in abatement of a declared Public Nuisance as authorized by Resolution No. 94-R-66.

**BACKGROUND:**

CONDEMNATION LIEN CONSIDERATION

1. The Board of County Commissioners at its regularly scheduled meeting of March 8, 1994, considered a request from the Clearance Inspector to adopt a resolution (No. 94-R-66) requiring a previously declared Public Nuisance to be razed and abated by April 8, 1994, and authorizing necessary corrective action to be taken by Seminole County staff in the event that the nuisance was not so abated, and further authorizing the assessment of lien for the costs incurred by Seminole County in the abatement process against the owners of the property.

ABATEMENT OF THE PUBLIC NUISANCE

The property owner received a copy of the written Notice and a Summons to appear before the Board of County Commissioners on March 8, 1994 but did not appear. The Public Nuisance was not abated by the Owner. The Clearance Inspector proceeded with the abatement process. (The property was demolished on May 6, 1994.)

It is hereby requested that in keeping with Resolution No. 94-R-66, and as provided for in Section 168.10, Seminole County Code, allowing costs specified in Section 168.6, Seminole County Code (the cost of demolishing the building and clearing the property, the cost of administrating the public nuisance certification, searching public records to determine the owners, and service of notice) a Condemnation Lien for the amount of Three thousand thirty five dollars and 77 cents (\$ 3,035.77) be assessed against the owner of the property.

LEGAL: SEC 31 TWP 19 RGE 31 LOT 21 HARDENS ADD, PB 7, PG 71 further described as 1109 First Drive, Sanford FL 32771

OWNER: Wayne Cleveland  
 294 Wisconsin Street  
 Rochester, NY 14609

District: 5

Revised By: <u>6</u> Co. Atty. _____ OMB <u>N/A</u> Finance <u>N/A</u> Central Svcs. <u>N/A</u> Risk Mgmt. <u>N/A</u> DCI <u>Kevin Grace</u> Other _____	User Dept: <u>N/A</u> Advertised: _____ Dates: <u>1/20, 1/27, 2/3 &amp; 2/10/94</u> Newspapers: <u>The Orlando Sentinel, Sanford Herald</u> Not Required: _____ Affected Parties: _____ Notified: _____ Not Required: <u>X</u>	Costs: Current FY <u>N/A</u> Total _____ Funding Source: Capital Imp. _____ Operating _____ Other _____ Appropriation Code: _____	Commission Action: Approved _____ Approve with Conditions _____ Denied _____ Continued to _____ Attachments: Resolution 94-R-66 Photo
Submitted by: <u>[Signature]</u> Ron H. Rabun, County Manager			

CONDEMNATION LIEN

IN RE: SEC 31 TWP 19 RGE 31 LOT 21 HARDENS ADD, PB 7, PG 71 further described as 1100 FIRST DRIVE presently shown as being owned by WAYNE CLEVELAND and all parties having or claiming to have any right, title, or interest in the property described.

SEMINOLE COUNTY, a political subdivision of the State of Florida, asserts a claim against WAYNE CLEVELAND, his heirs or assigns for costs incurred by SEMINOLE COUNTY in the condemnation proceedings and demolition of the building, removal of materials, trash, and debris from the above described property. Said claim is pursuant to Part 1, Chapter 168, Seminole County Code, authorizing condemnation, demolition and removal, and assessment of a lien against the subject property.

The sum of Three Thousand Thirty Five and 77/100 Dollars (\$ 3,035.77) is assessed by the Board of County Commissioners and Seminole County as the reasonable costs incurred in the condemnation of the above described property. Said assessment shall bear interest at the current legal rate of interest per annum as provided by law and shall constitute a lien upon the land from the date of the assessment and shall be collectible in the same manner as liens for taxes and with the same attorney's fee, penalties for default in payment, and under the same proceedings in a court of competent jurisdiction to foreclose the lien of the assessment in the manner in which a lien for mortgages is foreclosed under the Laws of Florida.

It is further claimed that said costs are just, due, and unpaid and SEMINOLE COUNTY hereby asserts this claim against WAYNE CLEVELAND, his heirs or assigns and creates a lien upon the above described property in the amount of Three Thousand Thirty Five and 77/100 Dollars (\$ 3,035.77) as authorized by Part 1, Chapter 168, Seminole County Code.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1984

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

ATTEST:

\_\_\_\_\_  
MARYANNE MORSE  
Chairman  
Clerk of the Board of  
County Commissioners of  
Seminole County, Florida

By: \_\_\_\_\_  
Dick Van Der Weide,

Date: \_\_\_\_\_

BK207PG2384

CONDEMNATION LIEN

IN RE: SEC 31 TWP 19 RGE 31 LOT 21 HARDENS ADD. PB 7, PG 71 further described as 1109 FIRST DRIVE presently shown as being owned by WAYNE CLEVELAND and all parties having or claiming to have any right, title, or interest in the property described.

SEMINOLE COUNTY, a political subdivision of the State of Florida, asserts a claim against WAYNE CLEVELAND, his heirs or assigns for costs incurred by SEMINOLE COUNTY in the condemnation proceedings and demolition of the building, removal of materials, trash, and debris from the above described property. Said claim is pursuant to Part 1, Chapter 168, Seminole County Code, authorizing condemnation, demolition and removal, and assessment of a lien against the subject property.

The sum of Three Thousand Thirty Five and 77/100 Dollars (\$ 3,035.77) is assessed by the Board of County Commissioners and Seminole County as the reasonable costs incurred in the condemnation of the above described property. Said assessment shall bear interest at the current legal rate of interest per annum as provided by law and shall constitute a lien upon the land from the date of the assessment and shall be collectible in the same manner as liens for taxes and with the same attorney's fee, penalties for default in payment, and under the same proceedings in a court of competent jurisdiction to foreclose the lien of the assessment in the manner in which a lien for mortgages is foreclosed under the Laws of Florida.

It is further claimed that said costs are just, due, and unpaid and SEMINOLE COUNTY hereby asserts this claim against WAYNE CLEVELAND, his heirs or assigns and creates a lien upon the above described property in the amount of Three Thousand Thirty Five and 77/100 Dollars (\$ 3,035.77) as authorized by Part 1, Chapter 168, Seminole County Code.

DATED this 25th day of Oct., 1994

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

THE BOARD OF COUNTY COMMISSIONERS  
ATTEST:  
*[Signature]*  
MAYNNE MORSE  
Chairman  
Clerk of the Board of  
County Commissioners of  
Seminole County, Florida

By: *[Signature]*  
Dick Van Der Weide,

Date: 10/27/94

Doc. No. 638320-B  
Recorded NOV 1, 1994  
at 12:27 o'clock P M and recorded in  
Office of the Clerk of Seminole County, Florida  
as a true and correct Record Verified

Clerk  
By: *[Signature]*  
Deputy Clerk

OFFICIAL RECORDS  
PAGE 0040  
SEMINOLE CO. FL.

OFFICIAL RECORDS  
PAGE 1193  
SEMINOLE CO. FL.

MAYNNE MORSE  
CLERK OF CIRCUIT COURT  
639462

RECORDED & VERIFIED  
54 NOV -4 AM 8:02

CERTIFICATION OF COSTS

A. Demolition	\$ 2,550.00
B. Labor	\$ 75.00
C. Advertising	\$ 403.90
D. Postage, handling and photocopies	\$ 6.87
TOTAL COSTS	\$ 3,035.77

I hereby certify that the above costs were incurred in the abatement of the public nuisance located at:

LOT 21, HARDENS ADD, PR 7, PG 71  
1109 FIRST DRIVE

By: Mary Ellen Sauls  
Mary Ellen Sauls  
Clearance Inspector

Date: 9-1-94

CR 207 PG 2385

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING OF MARCH 8, 1994.

WHEREAS, the Board of County Commissioners declared that a public nuisance existed on the following described property, to wit:

LOT 21 HARDENS ADD PB 7 PG 71 ACCORDING TO THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA further described as 1109 FIRST DRIVE.

at their regularly scheduled meeting of January 11, 1994; and

WHEREAS, the owner of the above-described property, is Wayne Cleveland and a copy of the written notice and a summons to appear before the Board of County Commissioners on March 8, 1994 was served on Wayne Cleveland; and

WHEREAS, a notice and summons were posted in a conspicuous place on the above-described property and that such notice and summons were combined and published once a week for four (4) consecutive weeks in two newspapers of general circulation in Seminole County prior to the public hearing; and

WHEREAS, the Board of County Commissioners held a public hearing and has determined that the public nuisance still exists on the above-described property.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

1. There hereby still exists a public nuisance on the following property:

LOT 21 HARDENS ADD PB 7 PG 71, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, further described as 1109 FIRST DRIVE.

2. The nature of the public nuisance is:

- (a) The building has been severely damaged by the elements of nature due to abandonment.
- (b) Foundation piers, exterior walls, porch, exterior steps, exterior doors, floor framing and flooring, interior partitions, roofing materials, roof flashing, window glass, window screens and window frames are missing or damaged beyond reasonable repair.
- (c) Electrical service has been disconnected due to inactivity. Electrical panels, electrical receptacles, electrical lights, and switches are damaged to the extent that they are a hazard.
- (d) Plumbing fixtures, plumbing drain system, are damaged beyond reasonable repair or are nonexistent.
- (e) There is no evidence of septic tank or drain field.
- (f) There is trash and debris inside and outside the building.

This instrument prepared by: Orons B. Nwanodi  
Seminole County Development  
Review Division  
January 31, 1994

207PG2386

(g) This condition constitutes a potential fire hazard.

(h) The condition and location of the property as is promotes loitering and creates a sanctuary for transients and drug users.

3. The owner of the above-described property, according to the property records in the Seminole County Property Appraiser's Office is:

Wayne Cleveland  
294 Wisconsin Street  
Rochester, NY 14609

4. In order to abate the public nuisance the following action is required:

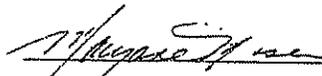
(a) Demolish the buildings and remove the buildings from the property, and clear the property of all trash, debris, and rubbish.

5. The owner of the above-described property shall have until April 8, 1994, to take corrective action to abate the public nuisance or thereafter Seminole County shall go upon the property upon which the public nuisance exists and shall demolish the buildings and remove the buildings from the property and clear the property of all trash and debris to abate the public nuisance. The cost of demolishing the buildings and clearing the property, together with the cost incurred in the administration of the public nuisance certification, in the searching of the public records to determine the recorded owner and in serving the notice as specified in Section 168.6, Seminole County Code, shall be assessed against the owner of the affected property as provided in Section 168.10, Seminole County Code.

ADOPTED this 8th day of March, 1994.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

ATTEST:



MARYANNE MORSE  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida.

By: Dick Van Der Weide, District 3



Chairman

PHOTOGRAPHS

DENPRO.FRY

DATE: 5/6/94

LEGIBILITY UNSATISFACTORY  
FOR MICROFILMING

ADDRESS: 1109 First Drive

COMPLAINT NO. 92093



1109 First St.  
5/6/94



1109 First St.  
5/6/94

Oct. 25, 1994

and scheduling of public hearing, Henry & Eliza Brown, owners.

28. Chairman to execute Condemnation Lien, as shown on page 1234, in the amount of \$3,035.77, to recover costs incurred by Seminole County in abatement of property declared a public nuisance located at 1109 First Dr., Sanford, Wayne Cleveland, owner.
29. Chairman to execute Condemnation Lien, as shown on page 1235, in the amount of \$3,049.66, to recover costs incurred by Seminole County in abatement of property declared a public nuisance located at 1103 First Dr., Sanford, Willie, Martha L. and Willie Erskin Griffin, owners.
30. Chairman to execute Condemnation Lien, as shown on page 1236, in the amount of \$7,379.87, to recover costs incurred by Seminole County in abatement of property declared a public nuisance located at 661 CR 419, Chuluota, Robert S. & Joyce S. Monroe, owners.

PURCHASING

32. Withdrawal of request to Award Bid #944, Transport Capable Units to Aero Products Corp.
33. Approve Extension of A/R-278, annual requirement contract for fire alarm testing, inspection and repair to Simplex Time Recorder Co., Winter Park, at the current terms, conditions and prices for an additional thirty (30) calendar days.
34. Approve request for trade of five (5) transfer trailers, valued at \$14,000, as a swap for one (1) used 7,500 gallon bulk steel tanker trailer to D&W Sales, Inc., Knoxville, Tn, \$14,000.

OMB

35. BCR #94/312, \$550, Central Services Facilities Maintenance Fund 001, General Fund; accounting adjustment to place funds in the building line (60-62) to cover negative balance in account and to correct a mid-year adjustment.
36. BCR #94/316, \$414, Central Accounts Debt Service Fund 401, Water & Sewer Fund; to provide additional funds for paying agent fees associated with debt defeased by the 1992 Water & Sewer Revenue Refunding Bonds.
37. BCR #94/323, \$1,101, Constitutional Officers, Property Appraiser Fund 001, General Fund; accounting adjustment to place funds in correct account for purchase of chairs for Property Appraiser's office less than \$500.
38. Budget Amendment Resolution #94-R-278, as shown on page 1237, \$13,187, Fund 001, General Fund; to account for funds received from Private Industry Council (PIC) for employment program for disadvantaged youths.
39. BCR #95/03, \$28,000, Planning & Development, Administration Fund 109, Transportation Unincorporated Trust Fund; to provide funds for engineering design and permitting costs related to

PLANNING AND DEVELOPMENT DEPARTMENT

ADMINISTRATION



May 29, 2007

Wayne Cleveland  
194 Salisbury Street  
Rochester, New York 14609

RE: 1109 First Drive, Sanford, Florida

Dear Mr. Cleveland:

After researching the history of your property located at 1109 First Drive, Sanford Florida, staff has found the following documentation and chronology of events leading to the condemnation and demolition of said property.

- A condemnation request was submitted to the District 5 Commissioner, Jennifer Kelley, on October 30, 1992 regarding the unoccupied building located at 1109 First Drive, Sanford, Florida. A certified letter was sent to the Owner of Record on October 30, 1992, notifying the Owner as to the unsafe condition and said structure was declared a public nuisance and must be demolished and removed from the property per Seminole County Ordinance 80-16. The signed return receipt was received November 17, 1992 from the Owner. There is no record of response received by the County.
- Seminole County Ordinance 80-16 gave authorization for declaring certain buildings or structures as unoccupied and unsuitable for occupancy, unsafe or dangerous to be declared public nuisances. The ordinance provided for the demolition and removal of the structure to begin within 30 days of declaration and completed no later than 90 days after the receipt of the notice by the Owner. The ordinance provided all costs associated with the demolition and removal of nuisance structures to be paid by the Owner of said structures.
- A second condemnation request was submitted to the District 5 Commissioner, Daryl McLain, on October 4, 1993 regarding the unoccupied building located at 1109 First Drive, Sanford, Florida. A certified letter was sent to the Owner of Record on October 4, 1993, notifying the Owner the structure was declared a public nuisance and must be demolished and removed from the property per Seminole County Ordinance 80-16. The signed return receipt was received October 12, 1993 from the Owner. There is no record of response received by the County.
- On January 11, 1994 the Seminole County Board of County Commissioners approved a request to declare the unoccupied building as a public nuisance and authorization to advertise and set a date for a public hearing to determine the outcome of the structure.
- On February 2, 1994 a summons was issued to you as Owner to appear before the Board at the March 8, 1994 Seminole County Board of County Commissioners meeting regarding the nuisance structure on this property.

1109 First Drive, Sanford, Florida

May 25, 2007

Page 2

- At that meeting, the Board adopted a resolution (94-R-66) requiring the Owner to demolish and remove all debris from the property by April 8, 1994. The Board authorized staff to perform necessary corrective action in the event the nuisance was not abated by the Owner as outlined in Seminole County Ordinance 80-16.
- The property was demolished by Seminole County on May 6, 1994 as the nuisance structure was not abated by the Owner.
- At the October 25, 1994 the Board of County Commissioners approved a Condemnation Lien for the amount of Three thousand thirty five dollars and 77 cents (\$3,035.77) to be assessed against the Owner of the property for the demolition work done on the property.
- Once the Condemnation Lien was placed on the property it began to accrue interest on a yearly basis. The interest rates are set by the Florida Comptroller each year and are assessed on the judgment and interest. An estimate of the current lien with interest is \$9,190.43.

If you are interested in discussing the removal of the lien from this property, please contact me at (407) 665-7396. I will be happy to discuss the process of removing the lien with you at that time.

Sincerely,



Dori L. DeBord, AICP  
Director of Planning and Development

Cc: Cindy Coto, County Manager  
Don Fisher, Deputy County Manager  
Bob McMillan, County Attorney

Attachments:

- Exhibit A: October 30, 1992 Letters to Commissioner and Owner
- Exhibit B: Seminole County Ordinance 80-16
- Exhibit C: October 4, 1993 Letters to Commissioner and Owner
- Exhibit D: January 11, 1994 Agenda Memorandum and BCC Meeting Minutes
- Exhibit E: February 2, 1994 Summons to Owner to appear
- Exhibit F: March 8, 1994 Agenda Memorandum and BCC Meeting Minutes
- Exhibit G: October 25, 1994 Agenda Memorandum and BCC Meeting Minutes
- Exhibit H: Yearly Interest Rate on Judgments as set by Florida Comptroller

U.S. Postal Service  
**CERTIFIED MAIL - RECEIPT**  
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

7006 2760 0001 5017 6886

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To Wayne Cleveland  
 Street, Apt. No.,  
 or PO Box No. 194 Salisbury  
 City, State, ZIP+4 Rochester, NY 14609

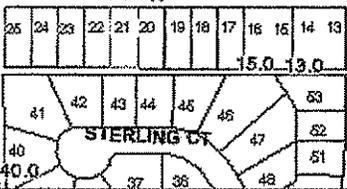
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent  <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Print Name) <u>Wayne Cleveland</u> Date of Delivery <u>6/2</u></p> <p>C. Is delivery address different from item 1? <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No                      If YES, enter delivery address below:</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>1. Article Addressed to:</p> <p><u>Wayne Cleveland</u>  <u>194 Salisbury Street</u>  <u>Rochester NY 14609</u></p>	<p>JUN 02 2007                      NY USPS 14609</p>
<p>2. Article Number                      (Transfer from service label)</p>	<p>7006 2760 0001 5017 6886</p>
<p>PS Form 3811, February 2004</p>	<p>Domestic Return Receipt</p>

102595-02-M-1540

**MARYANNE MORSE**  
**CLERK OF THE CIRCUIT COURT**  
**SEMINOLE COUNTY**  
**INTEREST ON JUDGMENTS**  
**SECTION 55.03, FLORIDA STATUTES**

**\*INTEREST IS AT A LESSER RATE IF, "THE JUDGMENT OR DECREE IS RENDERED ON A WRITTEN CONTRACT OR OBLIGATION PROVIDING FOR INTEREST AT A LESSER RATE, IN WHICH CASE THE JUDGMENT OR DECREE BEARS INTEREST AT THE RATE SPECIFIED IN SUCH WRITTEN CONTRACT OR OBLIGATION."**

EFFECTIVE PERIOD	% RATE	% PER DAY	DAYS/YEAR	COMMENTS
*JUNE 27, 1967	6	.01644	365	
*OCTOBER 1, 1977	6	.01644	365	EXCEPT JUDGMENTS OR DECREES RENDERED IN CIRCUIT COURT
*OCTOBER 1, 1977	8	.02192	365	JUDGMENTS AND DECREES RENDERED IN CIRCUIT COURT
*OCTOBER 1, 1980	10	.02740	365	
*OCTOBER 1, 1981	12	.03288	365	
<b>BEGINNING DECEMBER 1, 1994, RATES ARE SET BY THE FLORIDA COMPTROLLER ON DECEMBER 1<sup>ST</sup> OF EACH YEAR FOR THE YEAR BEGINNING:</b>				
JANUARY 1, 1995	8	.02192	365	
JANUARY 1, 1996	10	.02740	365	
JANUARY 1, 1997	10	.02740	365	
JANUARY 1, 1998	10	.02740	365	
JANUARY 1, 1999	10	.02740	365	
JANUARY 1, 2000	10	.02740	365	
JANUARY 1, 2001	11	.03014	365	
JANUARY 1, 2002	9	.02466	365	
JANUARY 1, 2003	6	.01644	365	
JANUARY 1, 2004	7	.01918	365	
JANUARY 1, 2005	7	.01918	365	
JANUARY 1, 2006	9	.02466	365	
JANUARY 1, 2007	11	.03014	365	
JANUARY 1, 2008	11	.03014	365	

<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY, FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>	<table border="1"> <tr><td>23.0</td><td>24</td></tr> <tr><td>25.0</td><td>25</td></tr> <tr><td>26</td><td></td></tr> <tr><td>28A</td><td></td></tr> <tr><td colspan="2">NATIONS RD</td></tr> <tr><td colspan="2">1ST DR</td></tr> <tr><td>1.0</td><td>1</td></tr> <tr><td>2.0</td><td>2</td></tr> <tr><td>3.0</td><td>3</td></tr> <tr><td>4.0</td><td>4</td></tr> <tr><td>5.0</td><td>6</td></tr> <tr><td>6.0</td><td>6</td></tr> <tr><td>7.0</td><td>7</td></tr> <tr><td>40.0</td><td></td></tr> </table> 	23.0	24	25.0	25	26		28A		NATIONS RD		1ST DR		1.0	1	2.0	2	3.0	3	4.0	4	5.0	6	6.0	6	7.0	7	40.0		
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<p><b>GENERAL</b></p> <p>Parcel Id: 31-19-31-502-0000-0210</p> <p>Owner: CLEVELAND WAYNE</p> <p>Mailing Address: 194 SALISBURY ST</p> <p>City,State,ZipCode: ROCHESTER NY 14609</p> <p>Property Address: 1109 1ST DR</p> <p>Subdivision Name: HARDENS ADD</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p>Dor: 00-VACANT RESIDENTIAL</p>	<p><b>2008 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 0</p> <p>Depreciated Bldg Value: \$0</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$10,238</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$10,238</p> <p>Assessed Value (SOH): \$10,238</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$10,238</p> <p>Tax Estimator</p> <p>Tax Reform Calculator</p>																													
<p><b>SALES</b></p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>01/1975</td> <td>01074</td> <td>0699</td> <td>\$1,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>SHERIFF DEED</td> <td>01/1975</td> <td>01066</td> <td>1605</td> <td>\$1,000</td> <td>Improved</td> <td>No</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	01/1975	01074	0699	\$1,000	Improved	No	SHERIFF DEED	01/1975	01066	1605	\$1,000	Improved	No	<p><b>2007 VALUE SUMMARY</b></p> <p>2007 Tax Bill Amount: \$151</p> <p>2007 Taxable Value: \$10,238</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>								
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<p><b>NOTE:</b> Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																														