

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Satisfaction of Condemnation Lien, 1109 First Drive, Sanford

DEPARTMENT: Planning and Development

DIVISION: Administration - Planning and Development

AUTHORIZED BY: Dori DeBord

CONTACT: Liz Parkhurst

EXT: 7397

MOTION/RECOMMENDATION:

Approve the Satisfaction of Lien in the amount of \$5,050.00, as approved by the Board of County Commissioners at the March 11, 2008 meeting.

District 5 Brenda Carey

Dori DeBord

BACKGROUND:

On March 11, 2008, the Board of County Commissioners met and approved to accept a settlement in the amount of \$5,050.00 for the Condemnation Lien and interest totaling \$10,100.33 on the property at 1109 First Drive, Sanford, owner Wayne Cleveland. The timeline is below:

DATE	ACTION
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.
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).
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.
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.
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
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.

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.
May 29, 2007	Letter with chronology of events and backup documentation sent to Wayne Cleveland from Planning & Development Director.
June 5, 2007	Director spoke with Mr. Cleveland as to the process of paying the lien and interest accrued per Ordinance 80-16.
January 11, 2008	Received an email from Mr. John Wright, Jr. as to the acquiring the property from Mr. Cleveland.
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 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.
January 23, 2008	Current total of condemnation lien and interest as of 3/11/08 is \$10,100.33
March 11, 2008	BCC approved to reduce the condemnation lien and interest to \$5,050.00 due within 60 days or reverts to original amount and compounding interest.
April 17, 2008	Payment received from John Wright, Jr. in the amount of \$5,050.00 which represents the settlement approved by the BCC on March 11, 2008.

STAFF RECOMMENDATION:

Approve and authorize the Chairman to execute a Satisfaction of Lien in the amount of \$5,050.00, as approved by the Board of County Commissioners at the March 11, 2008 meeting.

ATTACHMENTS:

1. Satisfaction of Lien
2. BCC Minutes from 3-11-08
3. Copy of Cashiers Check Received 4-17-08
4. Copy of Receipt for \$5050.00

Additionally Reviewed By:

County Attorney Review (David Shields)

**SATISFACTION OF LIEN
AS TO PARTICULAR PARCEL**

THIS instrument disclaims and releases the Condemnation lien imposed against WAYNE CLEVELAND on October 25, 1994 by the Seminole County Board of County Commissioners, filed and recorded on November 4, 1994 in Official Records Book 2843, Page 0040, of the Public Records of Seminole County, Florida, against the following described real property:

**SEC 31 TWP19 RGE 31 LOT 21 HARDEN'S ADDITION, PLAT BOOK 7
PAGE 71 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY
PARCEL ID # 31-19-31-502-0000-0210**

The undersigned is authorized to and does hereby disclaim and release the lien as to the whole of the above-described real property, and consents that the same be discharged of record.

DATED this ____ day of _____, 2008.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

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

By: _____
BRENDA CAREY, Chairman

Date: _____

For the use and reliance of
Seminole County only.

As authorized for execution by the Board of
County Commissioners at their _____
regular meeting.

Approved as to form and
legal sufficiency.

County Attorney

meeting for LaTasha Proctor; Shelter Properties; Gary & Monika Luedecke; Girls & Boys Town of Central Florida; Daniel & Darcy Drew; Edith Justice; Lizzie Williams; Barre & Jane Baggett; Samuel and Florence Stabile; Diane Rice; Haywood Maddox; James Edwards; Virgil and Denise Hurley; and Anvan Properties.

49. Development Order #08-50000001, as shown on page _____, for Gary & Christine Cousins.
50. Utility Agreement, as shown on page _____, for sewer service with Samy Realty, Inc. for the project known as Sanford Auto Mall.
51. Bill of Sale, as shown on page _____, accepting water within the project known as Lowe's Home Center-Fern Park.
52. Second Amendment, as shown on page _____, to PS-5191-05.
53. Work Order #10, as shown on page _____, to CC-0012-05.
54. Change Order #2, as shown on page _____, to Work Order #11 to CC-1075-06.
55. Change Order #2, as shown on page _____, to RFP-2086-07.
56. Amendment #1, as shown on page _____, to Work Order #19 to PS-0381-06.
57. Bids as follows: IFB-600302-08; RFP-2832-07; IFB-600320-08; and CC-2472-07.

REGULAR AGENDA

Planning & Development Director, Dori Debord, addressed the Board to request direction with regard to settlement offer for the Condemnation Lien and interest totaling \$10,100.33 on property at 1109 First Drive, Sanford, owned by Wayne Cleveland. She advised Mr. Cleveland currently resides in New York and has given written authority to John Wright to act on his behalf in clearing the lien. Mr. Wright is interested in purchasing the property and has offered to pay \$4,000 to clear the lien.

MARCH 11, 2008

John Wright addressed the Board to advise he owns the property adjacent to the subject property and has been trying to buy it for some time.

District Commissioner Carey stated there is no violation on the property at this time. She, therefore, recommended splitting the \$10,100.33 to \$5,050.

Motion by Commissioner Mclean, seconded by Commissioner Dallari to accept a settlement in the amount of \$5,050 for the Condemnation Lien and interest totaling \$10,100.33 on property at 1109 First Drive, Sanford, Wayne Cleveland, to be paid within 60 days from this date.

Districts 1, 2, 3 and 5 voted AYE.

COUNTY MANAGER'S BRIEFING

Assistant County Manager, Sabrina O'Bryan, addressed the Board to give a PowerPoint presentation (copy received & filed) on the status of the Strategic Planning Initiative. She reviewed the project history, vision & mission statements, value statements, and strategic priority & focus areas. She stated they are currently working on Phase IV, which is connecting the Strategic Plan to the budget and the Performance Management systems. They have charted the 40 objectives over five years and are in the process of assigning responsible departments to evaluate during the upcoming budget process. Also, they will be including the objectives and actions in the performance system for accountability. She further stated that the next step will be Phase V, which will be to monitor, evaluate and measure the progress, and assess the plan frequently to continue to sustain and enhance the quality of life in Seminole County.

Bank of America 

Cashier's Check

No. 3655449

Notice to Purchaser: In the event this check is lost, misplaced or stolen, a sworn statement and 90-day waiting period will be required prior to replacement. This check should be negotiated within 90 days.

Date: APRIL 15, 2008

30-1/1140
NTX

Banking Center ARLINGTON

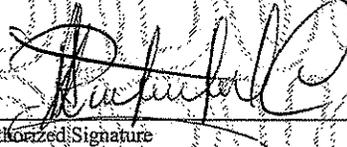
1011614 00021 003655449

JOHN JR. WRIGHT
Remitter (Purchased By)

\$ **5050.00**

Pay **FIVE THOUSAND FIFTY DOLLARS AND 00 CENTS**

To The Order Of
BCC


Authorized Signature

Bank of America, N.A.
San Antonio, Texas

VOID AFTER 90 DAYS

⑈ 3655449⑈ ⑆ 114000019⑆ 001641001536⑈

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RECEIPT

No 70062

SEMINOLE COUNTY, FLORIDA

Date 4-17 2008

Received from John Jr Wright

Address Lien Satisfaction

Description 1109 First Dr - Sanford

Account Number	Amount	Description
-----	<u>5,050.00</u>	<u>5,050.00</u>
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Total Amount _____

Check No. 3655449 Cash _____

Board of County Commissioners

By [Signature]