

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20020727

1. REQUESTED MOTION:

ACTION REQUESTED: Consider request of Robert Strong to mitigate one demolition lien; and reduce the lien to the principal owed which is \$3,950.00.

WHY ACTION IS NECESSARY: Only Board can mitigate County liens

WHAT ACTION ACCOMPLISHES: Responds to request to mitigate lien.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT #

A12A

3. MEETING DATE:

07-09-2002

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED: _____

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
- B. DEPARTMENT County Attorney
- C. DIVISION Admin
- BY: Joan C. Henry
Assistant County Attorney

7. BACKGROUND:

Lee County levied a demolition lien on property located at 1538 Wood Road on April 19, 2001 in the amount of \$3,950.00.

The lien has accrued interest and a payoff of the lien through April 18, 2002 totals \$4,345.00 (\$395 interest). Mr. Strong intends to improve the property. Attached is property data for the parcel from the property appraiser's web site, a memorandum from the Department of Community Development Services regarding this mitigation and a copy of each of the liens and Mr. Strong's request.

Staff recommends mitigating the lien to the principal owed which is \$3,950.00. The Board has no legal obligation to waive or mitigate any part of the lien.

Attachments:

1. Parcel data from Property Appraiser's Office
2. Request from Mr. Strong
3. Memo from Bob Stewart
4. Lien

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
N/A	N/A	N/A	N/A	<i>Leah Jones</i>	OA <i>6/25/02</i>	OM <i>6/25/02</i>	RISK <i>6/26/02</i>	GC <i>6/26/02</i>	<i>Al</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

CO. ATTY.
FORWARDED TO:
Admin
6/25/02 1:00

RECEIVED BY
COUNTY ADMIN. *CA*
6/25 1:20
COUNTY ADMIN.
FORWARDED TO:
6/26 2:00 DS

LEE COUNTY PROPERTY APPRAISER

Property Data for Parcel 02-44-24-04-00012.0020

[[Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) | [Display Building Permits on this Parcel](#)
[Display Tax Bills on this Parcel](#)]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.
 LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2001 ROLL.

Owner of Record	Legal Description	Image of Structure
STRONG ROBERT T TR 1308 SUNRISE DR FORT MYERS FL 33917	MARIANA HEIGHTS PB 8 PG 73 N 78 FT OF W 180 FT OF E 343 FT OF LOT 12	(Not Presently Available)
Site Address		1538 WOOD RD North Fort Myers, FL 33903

Taxing District	DOR Code
001 - NORTH FT MYERS LIGHT/FIRE	01 - SINGLE FAMILY RESIDENTIAL

Property Values		Exemptions		Dimensions	
Just	19,390	Homestead	0	Measurement Units	SF
Assessed	19,390	Agricultural	0	Number of Units	14,220.00
Assessed SOH	19,390	Widow	0	Frontage	79
Taxable	19,390	Widower	0	Depth	180
Building	9,440	Disability	0	Bedrooms	2
Land	9,950	Wholly	0	Bathrooms	2
Building Extra Features	2,650	Energy	0	Total Sq. Ft.	1,131
Land Extra Features	0	SOH Difference	0	Year Built	1949

Sales Transactions				
Sale Price	Date	OR Book/Page	Transaction Type	Vacant/Improved
7,800	9/6/2001	3479/4212	08	I
36,500	6/1/1988	1998/3841	06	I
0	11/1/1987	1956/4052	03	I

Solid Waste (Garbage) Roll Data				
Solid Waste District	Roll Type	Category	Unit/Area	Tax Amou
004 - Service Area 4 - North Fort Myers Area	R - Residential Category		0	0.

April 18, 2002

Lee County Commissioners
Lee County, Florida

Re: Strap No. 02-44-24-04-00012.0020
1538 Wood Rd., North Fort Myers
Tax Deed 2001-000139

Request: Removal of Demolition Lien of unsafe structure in the amount of \$3,950.00 plus any interest.

Reason for Request: Upon taking it to sale there was no Demolition Lien applied. At that time there were Buildings on the land which consisted of a house needing fire damage repair and a garage which was suitable for use.

The reason I took this to sale, was I owned the Tax Certificate #94-002689. As a retired general contractor, I felt that the lot was worth the sale price plus the garbage lien, \$7,711.29 (sale price) and \$3000.00+ (garbage lien). The property did not sell and I acquired it by default.

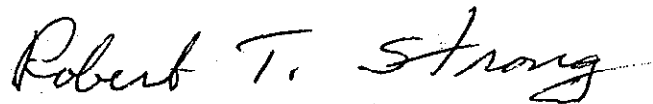
By removing this Demolition lien it would bring the lot value to its true worth of \$10,000-\$11,000.00.

I would not have not have considered taking this to sale, if I had known of the Demolition and lien.

The application for the Tax Deed #D01-00139 was made on February 22, 2001.

Recorded demolition of unsafe structure was April 24, 2001.

The Sale Date was September 6, 2001.



Robert T. Strong
1308 Sunrise Drive
North Fort Myers, FL 33917

PH 239) 995-4336

MEMORANDUM

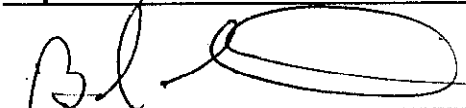
FROM
THE DEPARTMENT OF
COMMUNITY DEVELOPMENT

02 APR 26 PM 2:01

RECORDED BY
LEE CO. ATTORNEY

DATE: April 25, 2002

TO: Fred Roenigk
Senior Code Enforcement
Officer

FROM: 
Bob Stewart, Deputy Director

RE: **Demolition Lien - 1538 Wood Road**

I have reviewed the information you sent regarding the demolition lien for the above referenced property.

It appears the Notice of Dangerous Building was recorded well before the application for tax deed was made.

Mr. Strong would have been on notice before he applied for title and would have been responsible for the demolition after he become owner. Therefore, regardless of the timing of the lien, Mr. Strong would have the expense of demolishing the building.

Given these facts, I cannot recommend the County release the lien without payment of the demolition expense the County has incurred.

cc: Joan Henry, Asst. County Attorney
Rick Roberts, Chief Code enforcement Officer

MEMORANDUM

FROM
THE DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES

02 APR 22 AM 9:22
LEE CO. ATTORNEY

DATE: April 18, 2002

TO: Bob Stewart
Dept. Director

FROM: Fred Roenigk
Senior Code Enforcement
Officer

RE: Release of Lien

Please find the attached request for relief from a demolition lien from Robert T. Strong. I have discussed the request with Joan Henry and am forwarding it for your input at her direction.

I have included a copy of the Property Appraisers screen showing the appraised value of \$9950 and tax sale price of \$7800 along with a copy of the lien and notice of unsafe building .

The lien currently is at \$4345.00 (3950 principal and 395 interest).

Joan will schedule a hearing with the Board upon receipt of your recommendation.

Thanks!

cc: Joan Henry, Asst County Attorney
Rick Roberts, Chief Code Enforcement Officer

INSTR # 5116252
OR BK 03399 PG 4862

RECORDED 04/24/01 01:39 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DEPUTY CLERK K Cartwright

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA
LEVYING A SPECIAL ASSESSMENT LIEN FOR DEMOLITION OF AN UNSAFE
STRUCTURE AGAINST THE PROPERTY OF

Marion Wieczkowski
(From the most recent tax records)

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE
COUNTY, FLORIDA, that:

SECTION 1.

This Resolution is adopted pursuant to the provisions of Lee County Land Development
Code Section 6-211 which adopts the 1985 Standard Unsafe Building Abatement Code.

SECTION 2.

It is hereby found and determined as follows:

A. All conditions precedent to the levying of a Special Assessment Lien on the property
described herein pursuant to the provisions of the Lee County Land Development Code and
Standard Unsafe Building Abatement Code have been satisfied.

B. Written demands have made on the record owner or owners of the herein described
property for payment of the cost incurred by the County in correcting conditions in violation of
the Lee County Land Development Code and Standard Unsafe Building Abatement Code and
said owner or owners have not reimbursed the County for such cost.

SECTION 3.

A Special Assessment Lien pursuant to and accordance with the provisions of the Lee
County Land Development Code and Unsafe Building Abatement Code in the principal amount
of \$ 3,950.00 which shall bear interest at the rate of 10% per annum is hereby levied
against the following described property:

1538 Wood Road, North Fort Myers, FL
Strap No: 02-44-24-04-00012.0020

LEE COUNTY
RECEIVED
01 APR 30 PM 1:25
CORN. DEV.
PUB. WORKS. CNTR.
SPECIAL FLOOR

LEGAL DESCRIPTION: BEGINNING AT THE SOUTHWEST CORNER OF LOT 12, MARIANA HEIGHTS, ACCORDING TO PLAT BOOK 8, PAGE 73, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN 260 FEET ALONG THE NORTHERLY SIDE OF EVERGREEN ROAD TO THE SOUTHEAST CORNER OF WOOD ROAD; THENCE RUN NORTH WOOD ROAD 258 FEET TO POINT OF BEGINNING OF THE LAND HEREINAFTER DESCRIBED; THENCE RUN EASTERLY 180 FEET TO A POINT, WHICH LIES SOUTH OF THE NORTH LINE OF SAID LOT 12, 78.5 FEET. FROM SAID POINT RUN NORTHERLY 78.5 FEET TO THE NORTH LINE OF SAID LOT 12; THENCE RUN WEST A DISTANCE OF 180 FEET ALONG THE NORTH LINE OF SAID LOT 12 TO THE EASTERLY SIDE OF WOOD ROAD; THENCE SOUTH ALONG WOOD ROAD, 79 FEET TO THE POINT OF BEGINNING.

SECTION 4.

"A certified copy of this resolution shall be recorded in the Official Records Book of Lee County, Florida, and a copy thereof mailed by the Clerk to the owners of the subject property as shown on the most recent tax records of Lee County, Florida."

IN WITNESS WHEREOF, Lee County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman of said Board this 19th day of April, 2001.

ATTEST:

CHARLES GREEN, CLERK

By: [Signature]

Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: [Signature]

Chairman

APPROVED AS TO FORM

By: [Signature]

COUNTY ATTORNEY

State of Florida
Clerk

I, Charles Green, Clerk of the Circuit Court for Lee County, Florida, do hereby certify this document to be a true and correct copy of the original document filed in the Minutes Department.

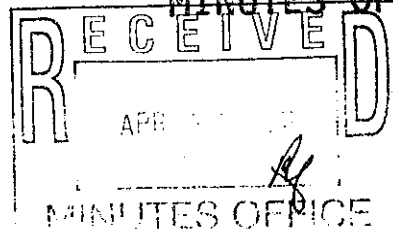
Given under my hand and official seal at Fort Myers, Florida, this 19th day of April, A.D. 2001

CHARLES GREEN, CLERK

By: [Signature]

Deputy Clerk

Return to:
MINUTES OFFICE



INSTR # 5016448
OR BK 03334 PG 4541

NOTICE OF UNSAFE BUILDING

RECORDED 12/06/00 10:11 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DEPUTY CLERK B Cruz

I, Karen Lankin, Building Inspector of Lee County, Florida, hereby certify that a
Building located at :

1538 Wood Road N. Ft. Myers Florida

Strap Number : 02-44-24-04-00012.0020

More particularly described as : Beginning at the Southwest corner of Lot 12, Mariana Heights, according to Plat Book 8, Page 73, public records of Lee County, Florida; thence run 260 feet along the Northerly side of Evergreen Road to the Southeast corner of Wood Road; thence run North along Wood Road 258 feet to the point of beginning of the land hereinafter described; thence run easterly 180 feet to a point, which point lies South of the North line of said Lot 12, 78.5feet. From said point run Northerly 78.5 feet to the North line of said Lot 12; thence run West a distance of 180 feet along the North line of said Lot 12 to the Easterly side of Wood Road; thence South along Wood Road, 79 feet to the point of beginning.

[References to recorded documents are to the Official Records of the Public Records of Lee County, Florida.]

is unsafe in accordance with the Land Development Code Section 6-211, adopting the 1985 Standard Unsafe Building Abatement Code. The owner(s) of record *Marion Wieczkowski* was served with the Notice of Unsafe Building on *July 19, 2000*.

Signed and dated this 1 Day of December, 2000.

Karen Lankin
Building Inspector
Lee County

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 1st day of December

2000, by Karen Lankin, who is personally know to me and who did not take an oath.

B. A. Hartman
Notary Public
Printed Name:

