



City of Alachua, Florida

2489241

4 PGS



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INSTRUMENT # 2489241 4 PGS

Mar 10, 2009 04:16 PM
BOOK 3863 PAGE 760
J. K. "BUDDY" IRBY
Clerk Of Circuit Court
Alachua County, Florida
CLERK10 Receipt # 401470

Certification of Special Magistrate Order

This is to certify that the City of Alachua Special Magistrate proceedings held on November 29, 2007, are attached:

- Emma & Willie McCullum

I hereby certify that this is a true and exact copy of said Order as executed and as is on file in this office.

Dated this 27th day of February 2009.

Alan S. Henderson
Deputy City Clerk
City of Alachua, Florida

**BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

CITY OF ALACHUA,

Petitioner,

vs.

EMMA & WILLIE MCCULLUM

Respondent(s)

Case No.: CEO 06-064

Violation Location: 13819 NW 158 Place
Alachua, Florida

Also known as:

Parcel No.: 03131-068-000

Further described as: Lincoln Gardens PB E-40
Lot 68 & 69 OR 768/3 SEE 74-761-CA OR
1663/1457 in the Public
Records of Alachua County, Florida

**AMENDED
ORDER OF ENFORCEMENT
and AWARD OF COSTS**

This case was heard by the City of Alachua Code Enforcement Special Magistrate, at a quasi judicial hearing held on November 29, 2007. The Special Magistrate, having heard testimony given under oath, and evidence presented by the City Code Enforcement Officer of the City of Alachua ("City") and any other persons, the following Order of Enforcement is entered:

1. Findings of Fact:

- a. Respondents, Emma and Willie McCullum were properly served with notice of these proceedings by:
 - (1) certified mail return receipt number 7005 1820 0000 3530 9878; and
 - (2) publication in the: Gainesville Sun on November 15, 2007 and the Alachua County Today on November 15, 2007.
- b. Respondent was not present at the hearing.
- c. The City provided testimony of Linnelle Stewart, Code Enforcement Office and presented evidence of violations of City of Alachua Code of Ordinances numbers 20-14 and 21-9.
- e. Based upon the competent, substantial evidence presented by the City the Respondent is in violation of City of Alachua Code of Ordinances numbers 20-14 and 21-9.
- f. The Respondent is the owner of the Property where the violation occurred as stated in the caption of this case.

INSTRUMENT # 2489241 4 PGS

2. **Conclusions of Law:**

- a. The Respondent, by virtue of the facts set forth above as found by the Special Magistrate, is in violation of the City of Alachua Code of Ordinance(s): 20-14 and 21-9; and
- b. These violation(s) warrant entry of this Order of Enforcement.

3. **Corrective Action and Imposition of Fine:**

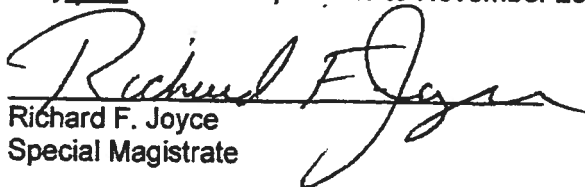
The Respondent, having been found in violation of the City of Alachua Code(s) as set forth in paragraph 2.a above, is hereby granted until and through December 10, 2007 to come into compliance with the Code or be subject to a \$100 per day fine to begin on December 11, 2007 which shall continue to accrue until such time as the property comes into compliance. The City of Alachua may file this Order of Enforcement in the public records of Alachua County so that it becomes a lien on the Property described in the caption of this case.

4. **Imposition of Costs:**

Based upon the undisputed evidence and testimony, it is further, ORDERED AND ADJUDGED that, Respondent is hereby assessed costs in the amount of \$324.27, for which sum let execution issue. Interest on this award shall accrue at 11% Annum.

THIS ORDER SHALL CONSTITUTE A LIEN AGAINST THE PROPERTY ON WHICH THE VIOLATION EXISTS AND MAY BECOME A LIEN ON OTHER REAL OR PERSONAL PROPERTY OWNED BY RESPONDENT.

DONE AND ORDERED at Alachua, Florida on February 10 2009 *nunc pro tunc* to November 29, 2007.


Richard F. Joyce
Special Magistrate

Appeal Process:

YOU MAY APPEAL THIS ORDER WITHIN THIRTY (30) DAYS FROM THIS DECISION, TO THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT, IN AND FOR ALACHUA COUNTY, GAINESVILLE, FLORIDA (SECTION 162.11, FSS).

Fines are due and payable immediately to the City of Alachua. Failure to do so may result in the filing of a lien against all real and personal property. Fines imposed and accruing on a daily basis will cease only when compliance is met and the Violator has called for a re-inspection of the property and the inspection has been performed. It is the Violator's responsibility to schedule a re-inspection. The fine will continue to run if the violation still exists, or if the violation has been corrected but a re-inspection has not been scheduled and performed.

Upon written request by the Violator, after the violation is cured, the Special Magistrate has the authority in its sole discretion to reduce the fine imposed. No fine shall be reduced below the actual costs incurred by the City of Alachua. No reduction in fine will be considered on a verbal request or if the violation is still in existence or has recurred.

Please direct all inquiries for re-inspection appeals, fine reductions, and scheduling requirements to Linnelle Stewart, Code Enforcement Officer, City of Alachua, 15100 N.W. 142nd Terrace, Alachua, Florida 32615; telephone no. (386) 418-6127.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Order of Enforcement was served upon Emma and Willie McCullum by US Mail sent to P.O. Box 1503, Alachua, FL, 32616 this 27 day of February, 2009.



Linnelle Stewart
Code Enforcement Officer
City of Alachua

INSTRUMENT # 2489241 4 PGS