

TAB 4



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Palmetto, Florida 34220-1209
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**BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF PALMETTO, FLORIDA**

**CERTIFIED MAIL/RETURN RECEIPT REQUESTED
REGULAR MAIL**

CITY OF PALMETTO
A political subdivision of the
State of Florida
Petitioner,
vs.

CEB Case No. 10-01

Ashland 2 Partners, LLC
7321 Merchant Court
Sarasota, Florida 34240
Respondent

Re Violation Location: *The Hall, 1330 US 301 North
Palmetto, Florida 34221*

Legal Description: COM AT NW COR OF SE1/4 OF NE1/4 SEC 13; TH S 00 DEG 11 MIN 20 SEC W, ALG W LN OF SD SE1/4 OF NE1/4 A DIST OF 374.08 FT; TH S 89 DEG 50 MIN 19 SEC E, 20 FT TO E R/W LN OF 12TH AVE E; TH S 00 DEG 11 MIN 20 SEC W, ALG SD E R/W LN 815.52 FT; TH S 85 DEG 12 MIN 00 SEC E, ALG NLY R/W LN OF US HWY 301 A DIST OF 436.54 FT FOR POB; TH CONT S 85 DEG 12 MIN 00 SEC E, 39.14 FT TO PC OF A CURVE CONCAVE TO NE, HAVING A RADIUS OF 4070.94 FT, D/A 2 DEG 24 MIN 40 SEC, CHORD OF 171.30 FT & A CHORD BEARING OF S 86 DEG 24 MIN 20 SEC E; TH SELY ALG ARC OF SD CURVE 171.31 FT; TH N 00 DEG 09 MIN 42 SEC E ALG E LN OF W1/2 OF THE SD SE1/4 OF NE1/4 A DIST OF 650 FT; TH N 89 DEG 50 MIN 19 SEC W, 210 FT; TH S 00 DEG 09 MIN 42 SEC W, 636.58 FT TO POB, CONT 3.10 AC M/L & SUBJ TO A 10 FT EASMT OVER THE E 10 FT OF THE ABOVE (1011/2503); LESS: COM AT THE NW COR OF THE SE1/4 OF THE NE1/4 OF SEC 13; TH S 00 DEG 11 MIN 20 SEC W, ALG THE W LN OF SD SE1/4 OF THE NE1/4, A DIST OF 32.40 FT TO A PT ON THE S R/W LN OF THE SCL RR; TH N 89 DEG 55 MIN 24 SEC E, ALG SD R/W LN, A DIST OF 664.57 FT; TH S 00 DEG 09 MIN 42 SEC W, 558.68 FT FOR A POB; TH CONT S 00 DEG 09 MIN 42 SEC W, 100 FT; TH N 89 DEG 50 MIN 19 SEC W, 210 FT; TH N 00 DEG 09 MIN 42 SEC E, 100 FT; TH S 89 DEG 50 MIN 19 SEC E, 210 FT TO THE POB, (1084/3120) Township 34S, Range 17E, Section 13.

Parcel ID #: 25827.0005/6.

ADMINISTRATIVE ORDER IMPOSING LIEN

THIS MATTER came before the City of Palmetto Code Enforcement Board for Public Hearing on February 23, 2010, at 6:00 p.m., at Palmetto City Hall, after due notice to the Respondent.

FINDINGS OF FACT:

The Code Enforcement Board of the City of Palmetto finds as a matter of fact that:

- The Hall is operated from 1330 US 301 North. The Palmetto Police Department has responded to two confirmed noise disturbances emanating from the Hall – Saturday, May 30, 2009 at 11:07pm (Case # 09-13201) and Friday, June 12, 2009 at 12:25am (case # 09-14155). Both of these complaints were initiated by area residents.

CONCLUSIONS OF LAW:

1. The Code Enforcement Board is properly convened. Notice has been given and all conditions precedent have been satisfied.
2. The Respondents have violated Palmetto Code of Ordinances, Chapter 5, Amusements, Article I, In General, Section 5-3 Definitions; Section 5-4, Prohibited Acts, (a) and (b); Section 5-5 Public Nuisances; and Section 5-8 Enforcement; Chapter 16, Health And Sanitation, Article II, Nuisances, Section 16-26 Definitions; Section 16-26(12); and Section 16-27(a), (b) & (c).

ORDER

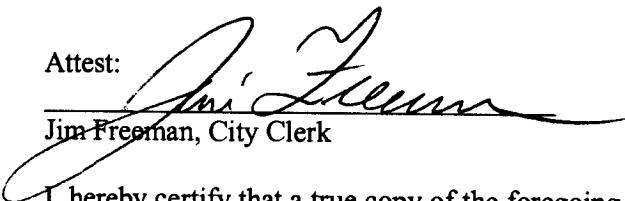
The Respondent, Ashland 2 Partners, LLC, is found in compliance of the Palmetto Code of Ordinances as noticed and no fine is imposed. Any future noise disturbances may be fined at the rate of up to \$5,000.00 per violation per the provisions of Chapter 2, Administration, Section 2-87 (b) (1) for irreparable and irreversible violations. The Respondent is entitled to notice and an opportunity to be heard prior to a fine being assessed.

A certified copy of this Administrative Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors-in-interest or assigns if the violation concerns real property and the findings therein shall be binding upon the violator and, if the violation concerns real property, any subsequent purchasers, successors-in-interest or assigns.

Any aggrieved party may appeal this Administrative Order to the Circuit Court in and for Manatee County. Such appeal shall not be a hearing *de novo*, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within thirty (30) days of the execution of this Administrative Order

Done and ordered this 23rd day of February, 2010.

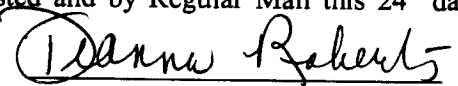
Attest:


Jim Freeman, City Clerk


CITY OF PALMETTO
CODE ENFORCEMENT BOARD

Robert Rotondo, Vice Chairman

I hereby certify that a true copy of the foregoing Administrative Order Imposing Lien has been furnished to the Respondent by Certified Mail/ Return Receipt Requested and by Regular Mail this 24th day of February, 2010.


Deanna Robert, Clerk of the Board

PALMETTO

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CITY OF PALMETTO

A political subdivision of the
State of Florida

Petitioner,

vs.

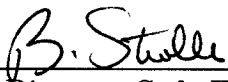
John E. Matheny, Jr.
Jill Ann Matheny
488 Oak Tree Road
 Mooresville, North Carolina 28117

Case No. CEB – 10-03

Respondent.

REPORT OF COMPLIANCE

This is notice that pursuant to the Administrative Order Imposing Fine of the Code Enforcement Board of the City of Palmetto dated January 26, 2010, the violation of the Palmetto City Code in this matter was corrected effective March 8, 2010.



Director, Code Enforcement

cc: (property owner)



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P.O. Box 1209
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**BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF PALMETTO, FLORIDA**

CITY OF PALMETTO
A political subdivision of the
State of Florida
Petitioner,

vs.

Case No. CEB 10-04

Wayne T. Jordan
Denise C. Jordan
4601 66th Street West, 502B
Bradenton, Florida 34210
Respondent.

Re Property of: Wayne T. Jordan
Denise C. Jordan
1704 14th Street Court West
Palmetto, FL 34221

Legal Description: LOT 41 LAMP POST PLACE PH II SUBDIVISION
Township 34S, Range 17E, Section 15.

Parcel ID #: PI#28000.0320/9

ADMINISTRATIVE ORDER IMPOSING FINE

THIS MATTER came before the City of Palmetto Code Enforcement Board for Public Hearing on February 23, 2010 at 6:00 p.m., at Palmetto City Hall, after due notice to the Respondents, and the Board, having considered the testimony and evidence presented, does hereby find:

FINDINGS OF FACT:

1. The property, which is the subject of this Code Enforcement action, is located at 1704 14th Street Court West, Palmetto, Florida.
2. The Respondents, Wayne T. Jordan and Denise C. Jordan, owners of the subject property, have been given proper notice of the hearing.
3. There exists on the Respondents' property located at 1704 14th Street Court West, an in-ground swimming pool full of stagnant water providing a breeding ground for

mosquitoes, and the property contains untended growth of weeds and brush. The property is overgrown.

CONCLUSIONS OF LAW:

1. The Code Enforcement Board is properly convened. Notice has been given and all conditions precedent have been satisfied.
2. This is a repeat violation as that term is used under Chapter 162, Florida Statutes, and under the Code of Ordinances of the City of Palmetto.
3. Respondent has violated Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26(1), & (3), and Section 16-27(a), (b), & (c); Chapter 7, Buildings and Building Regulations, Article XI Minimum Maintenance Standards, Section 7-243(a), Requirements For Sites:

ORDER

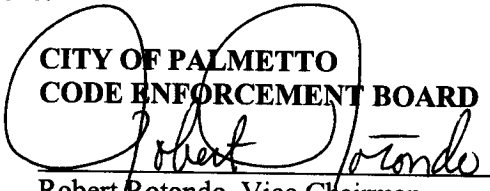
The Respondents, Wayne T. Jordan and Denise C. Jordan, are found in violation of the Palmetto Code of Ordinances as noticed. A fine of \$500.00 per day is hereby imposed, commencing February 28, 2010 and continuing until the property is brought into compliance. **Upon recording, such costs shall constitute a lien on the property. Costs assessed pursuant to this Order shall continue with interest accruing.**

A certified copy of this Administrative Order shall be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors-in-interest or assigns if the violation concerns real property and the findings therein shall be binding upon the violator and, if the violation concerns real property, any subsequent purchasers, successors-in-interest or assigns.

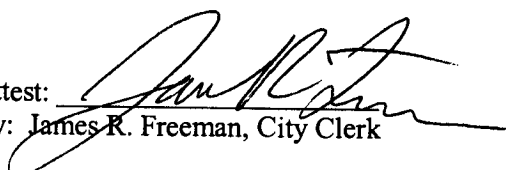
Any aggrieved party may appeal this Administrative Order to the Circuit Court in and for Manatee County. Such appeal shall not be a hearing *de novo*, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within thirty (30) days of the execution of this Administrative Order

Done and ordered this 23rd day of February, 2010.

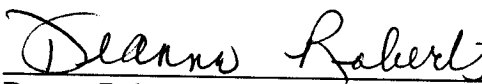
CITY OF PALMETTO
CODE ENFORCEMENT BOARD


Robert Rotondo, Vice Chairman

Attest:


By: James R. Freeman, City Clerk

I hereby certify that a true copy of the foregoing Administrative Order Imposing Fine has been furnished to the Respondents by Certified Mail/ Return/Receipt Requested and by Regular Mail this 24th day of February, 2010.


Deanna Roberts, Clerk of the Board

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vs.

Wayne T. Jordan
Denise C. Jordan
1704 14th Street Court West
Palmetto, Florida 34221

Case No. CEB – 10-04

Respondent.

REPORT OF COMPLIANCE

This is notice that pursuant to the Administrative Order Imposing Fine of the Code Enforcement Board of the City of Palmetto dated February 23, 2010, the violation of the Palmetto City Code in this matter was corrected effective March 11, 2010.



Director, Code Enforcement

cc: (property owner)