

TAB 9



City of Palmetto Agenda Item

Meeting Date

6/7/10

Presenter:

Bill Strollo

Department:

Code Enforcement

Title:

BMR Funding, Request For Lien Reduction - Property Location, 4009 11th Street Court West, Palmetto, Florida.

The property that is the subject of this discussion is located at 4009 11th Street Court West and 4111 10th Street West, Parcel ID 29363.0020/9, Township 34S, Range 17E, Section 16. This is an annexed property, and the code violations resulting in the current lien included a broken waste line in the septic system, a fire damaged apartment, broken and missing windows, improper storage, trash and debris, nuisance issues, abandoned property, and child safety issues involving an unprotected, in-ground pool.

A Notice of Violation was issued to the Respondents, Genesis Development Partners, LLC on March 29, 2007. This Notice was informally e-mailed and later hand delivered to the Respondents due to their initial cooperation. Efforts to achieve compliance through the property manager and one of the business partners, Dennis Bradford, continued through September 2007. However, due to a lack of site improvements, this NOV was re-issued on October 5, 2007 allowing twenty days for the remediation of the property.

A Notice of Hearing was issued on November 5, 2007 scheduling this case before the Code Enforcement Board on November 27, 2007, case number CEB 07-15. At the request of one of the Respondents, Dennis Bradford, this case was continued until January 22, 2008. Following the hearing, the Code Enforcement Board issued an Administrative Order assessing \$915.00 in administrative costs incurred from the prosecution of the case; the Order directed the Respondents to bring the property into compliance by February 1, 2008.

The Respondents, Genesis Development Partners, LLC failed to meet the date certain, and at the hearing on February 26, 2008 the CEB issued an Order Imposing Fine And Lien imposing a \$250.00 per day fine commencing February 1, 2008 and continuing until the violation is corrected. The Chairman of the CEB also wrote to Mayor Bustle regarding the uncorrected health and safety issues - leaking septic line, the unprotected pool and the fire damaged apartment.

On February 28, 2008, a meeting was held between City staff and Dennis Bradford; Mr. Bradford indicated Genesis Development Partners would be unable to abate the violations, and he requested City assistance in resolving the most serious code violations. An agreement between the City and Genesis Development Partners was executed, and the City cured the violations by demolishing the in-ground pool and the fire damaged structure attached to the one story apartments at Pelican Perch, 4111 10th Street West. The two story structure with the broken septic line was condemned and ordered to remain vacant.

A report of compliance was issued following the remediation of the health and safety issues effective March 25, 2008.

On July 16, 2008 Nancy S. Harrison, Esq. contacted staff regarding the recorded liens and the pending code violations. Ms. Harrison, associated with the law firm of Michael A. Schroeder, P.L., Boca Raton, Florida, indicated they represented the mortgage holder. She was provided with the lien amounts and the open code violations.

BMR Funding, LLC took title to the property on April 14, 2009, Manatee County Court case 2008-CA-007646.

William Manfull has leased the property from BMR Funding, and as of June 1, 2010, he has corrected most of the pending violations. The septic line remains broken, and that building will remain vacant until the line is repaired by Mr. Manfull.

As of 5/31/10 the outstanding lien balance is \$22,419.06(see email). The attorneys representing BMR funding have agreed to settle the lien for \$18,000 (see attached letter).

Budgeted Amount:	<input type="text" value="\$0.00"/>	Budget Page No(s):	<input type="text"/>	Available Amount:	<input type="text" value="\$0.00"/>	Expenditure Amount:	<input type="text" value="\$0.00"/>
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Additional Budgetary Information:

Funding Source(s):

Sufficient Funds Available:

☒ Yes
☐ No

Budget Amendment Required:

☐ Yes
☒ No

Source:

City Attorney Reviewed:

☒ Yes
☐ No
☐ N/A

Advisory Board Recommendation:

☐ For
☐ Against
☒ N/A

Consistent With:

☐ Yes
☐ No
☐ N/A

Potential Motion/ Direction Requested:

Staff Contact:

Bill Strollo

Jim Freeman

Attachments:

Lien Documents, NOV, AO, OIF, pictures, e-mails Report of Compliance

Jim Freeman

From: Cheryl Miller
Sent: Wednesday, June 02, 2010 4:52 PM
To: Jim Freeman; William Strollo
Cc: Diane Ponder
Subject: FW: BMR Funding
Attachments: 2010_06_02_16_52_17.pdf

Jim:

In summary, BMR has offered \$18,000 for Code Enforcement Violation (CEB 07-15). The official request is attached but wanted to provide you an update on the balance owed.

<u>Date</u>	<u>Inv #</u>	<u>Amount</u>	<u>Notes</u>	<u>Book</u>	<u>Page</u>
March 3, 2008	407053519	915.00	Administrative Cost: Page 3	2249	0928-
		15.00	Administrative Fee		
		74.00	Recording Cost (9 pages)		
		<u>1,004.00</u>			
April 21, 2010	407053567	2,500.00	G & S Grade Svc, Inv #214	2253	6512
		18.00	Administrative Fee		
		10.00	Recording Cost (1 page)		
		<u>2,528.00</u>			
May 14, 2008	407053627	21,250.00	Daily Fines 85 Days @ \$250 (2/1-4/25/08)	2259	0350-
		58.00	Recording Cost (7 Pages)		
		15.00	Administrative Fee		
		<u>21,323.00</u>			
August 15, 2008			Notice of Compliance Received from Code Enforcement		
April 29, 2009	407054305	(6,250.00)	Adjustment of 25 days for Notice of Compliance		
		<u>18,605.00</u>			
Cumulative	Finance Charges	4,056.17	Finance Charges Accrual		
April 29, 2009	407054305	(521.20)	Adjustment to finance charges based on Notice of Compliance		
		<u>3,534.97</u>			
	TOTAL DUE THRU 3/30/10	<u>22,139.97</u>			
Accumulated Finance Charges					
4/8/2010	March Finance Charges	93.03			
4/30/2010	April's Finance Charges	93.03			
5/31/2010	May's Finance Charges	93.03			
		<u>279.09</u>			
	TOTAL DUE THRU 5/31/10	<u>22,419.06</u>			
	Per Diem Daily Rate	3.10			

Cheryl A. Miller, CGFO, MBA
 Sr. Account Analyst
 City Hall x111
 W: 723-4570
 F: 723-4576

6/2/2010

McCLOSKY, D'ANNA & DIETERLE, LLP

2300 GLADES ROAD
SUITE 400, EAST TOWER
BOCA RATON, FLORIDA 33431-8540
TELEPHONE (561) 368-9200
FACSIMILE (561) 395-7050
www.mccloskydanna.com

gwm@mdd-law.com

June 2, 2010

VIA EMAIL: bhogreve@aol.com
VIA FACSIMILE: (941) 364-2490

Bradley W. Hogreve, Esquire
Kirk Pinkerton
50 Central Avenue
Suite 700
Post Office Box 3798
Sarasota, Florida 34230

Re: The City of Palmetto, a Political Subdivision of the State of Florida vs.
BMR Funding, LLC, a Delaware limited liability company, et al.
12th Judicial Circuit, Manatee County; Case No.: 2010-CA-3053

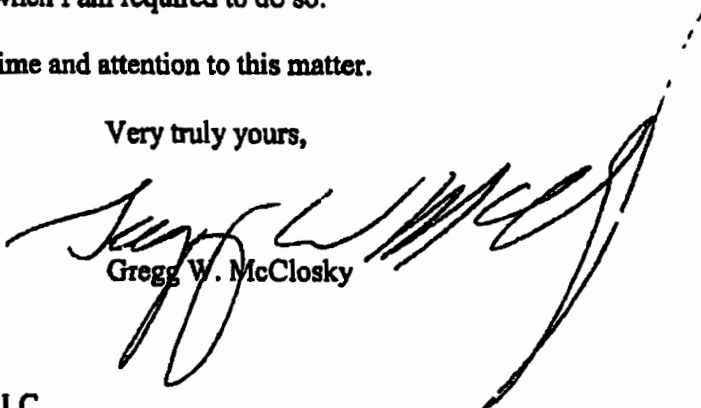
Dear Mr. Hogreve:

This will confirm our telephone conference of May 17, 2010, wherein I advised you that my client, BMR Funding, LLC, will pay Eighteen Thousand and No/100ths Dollars (\$18,000.00) within ten (10) days in full and final payment to settle this matter.

Also, you agreed that at this time I do not need to file a response to the Complaint and you will let me know if and/or when I am required to do so.

Thank you for your time and attention to this matter.

Very truly yours,





Gregg W. McClosky

GWM/lh

cc: Dale Cooney, BMR Funding, LLC.

William Strollo**From:** Mark Barnebey [mbarnebey@kirkpinkerton.com]**Sent:** Tuesday, December 22, 2009 8:58 AM**To:** Brad W. Hogreve**Cc:** Jim Freeman; William Strollo**Subject:** FW: Foreclosure Status

Brad - Last night, the City Commission authorized the filing of foreclosure actions on the properties referred to as the 4009 11th Street Court West and 4111 10th Street West (BMR Funding) and 98 US 301 (Palmetto Funding)' properties. Please proceed with the filings. Also, please coordinate and keep City Clerk Jim Freeman, Code Enforcement Chief Bill Strollo, and me up to date on the status of the matters (and provide the documents requested to Jim and Bill.) Mark

 KIRK PINKERTON ATTORNEYS AT LAW		
Attorney at Law Board Certified in City, County and Local Government Law	Mark P. Barnebey Shareholder	
Office: 941.744.2288 Direct: 941.364.2403 Fax: 941.744.9691		
First Bank Financial Center 1301 6th Avenue West Suite 401 Bradenton, FL 34205	E-mail: mbarnebey@kirkpinkerton.com Website: www.kirkpinkerton.com	

This message is intended for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential or exempt from disclosure under applicable laws. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by return email and delete this message and any copies. Thank you.

From: Jim Freeman [mailto:jfreeman@palmettofl.org]**Sent:** Tuesday, December 22, 2009 8:41 AM**To:** Mark Barnebey**Cc:** William Strollo**Subject:** Foreclosure Status

Mark,

Can you please copy Bill Strollo and I on any correspondence you send out related to the two foreclosures that were approved last night (BMR Funding and palmetto Funding LLC)?

Thanks,

Jim Freeman, CMC, CIA
 City Clerk- City of Palmetto
 516 8th Ave West
 Palmetto, FL 34221
 (Phone) 941.723.4570
 (Fax) 941.723.4576

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in a public records request, do not send electronic e-mail to this entity, contact this office by phone or writing.

1/21 - From Glen Hayes, Captains Point, 721-9091. People have observed individuals urinating & defecating @ Pine Mania in bushes.
 12/22/2009 Does not believe they are homeless - Just there fishing & partying

William Strollo

From: Richard M. Langhorne [richard@langhorne.com]
Sent: Saturday, October 31, 2009 9:31 PM
To: 'Andrew J. Harrington, RMP'
Cc: 'Dale S. Cooney'; 'Cytrynbaum, Oren @ Miami'; cdh.2009@yahoo.com; William Strollo; Whitney Ewing
Subject: BMR Property, Terra Mana, 4009 11th Street Court West, Palmetto, Florida

Andrew

I am not any longer involved with this asset, BUT I strongly suggest that you fix this problem as in NOW

Richard M. Langhorne CRE FRICS
The Langhorne Company
Restructuring & Real Estate Advisors
14641 Tarpon Drive
Coral Gables, FL 33158

Phone 305.536.1000
www.langhorne.com

From: William Strollo [mailto:wstrollo@palmettofl.org]
Sent: Wednesday, October 28, 2009 3:54 PM
To: richard@langhorne.com
Cc: Whitney Ewing
Subject: BMR Property, Terra Mana, 4009 11th Street Court West, Palmetto, Florida

Mr. Langhorne,

I received a call this morning from an irate father, Will Hirsberger, who stated his daughter was renting apartment 5 at the above address. His daughter has been without the use of a toilet for eleven days – the toilet overflows and the bathroom sink also drains into the toilet causing it to overflow. Mr. Hirsberger has complained to the property manager, Andrew Harrington, who reportedly has been unresponsive.

I contacted Andrew Harrington at his new business, Oak Leaf Property Management, (941) 741-2360. Mr. Harrington advised me that he had been scheduled to assume responsibility for the property, but at the time of my call All County Property Management (Mr. Harrington's former employer) still had the contract.

I contacted All County and was advised that Sharon was the property manager; I left a voice mail for Sharon at approximately 10:30am. Not hearing from her, I called Sharon at approximately 3:00pm this date and she advised me that All County was transferring property management of this address to the "new" company on Friday, October 30, 2009.

I have a tenant in Apartment 5 @ 4009 11th Street Court West, Palmetto, Florida who needs a functioning toilet. The sewer at this complex is a septic system, and this probably needs draining as this was a repeat issue with this property under another owner; a plumber will also be required to check the tenant's apartment.

Your assistance in resolving this urgent matter is appreciated.

11/2/2009

William Strollo

From: William Strollo
Sent: Wednesday, October 28, 2009 3:54 PM
To: 'richard@langhorne.com'
Cc: Whitney Ewing
Subject: BMR Property, Terra Mana, 4009 11th Street Court West, Palmetto, Florida

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Your assistance in resolving this urgent matter is appreciated.

Bill Strollo
Director, Code Enforcement
City of Palmetto

10/28/2009

MICHAEL A. SCHROEDER, P.L.

ATTORNEYS AT LAW
2300 GLADES ROAD
SUITE 400, EAST TOWER
BOCA RATON, FLORIDA 33431

TELEPHONE (561) 241-0300
FACSIMILE (561) 241-0798

FACSIMILE TRANSMITTAL SHEET

BILLING NO.: 1709-035S

FACSIMILE NO: (941) 723-4576

TO: Mr. Bill Strollo, Director, Code Enforcement Department
City of Palmetto

FROM: Nancy S. Harrison, Esq.

RE: Genesis Development Partners, LLC - Code Violations and Liens

DATE: August 18, 2008

SPECIAL INSTRUCTIONS:

Please see attached letter of even date.

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 2

ORIGINAL TO FOLLOW: No

CONFIDENTIALITY NOTE

THE INFORMATION CONTAINED IN THIS FAX TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS TRANSMISSION IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS TRANSMISSION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY COLLECT TELEPHONE CALL AND RETURN THE ORIGINAL TRANSMISSION TO US AT THE ADDRESS ABOVE VIA U.S. MAIL. IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL (561) 241-0300 AS SOON AS POSSIBLE.

J:\CLIENTS\SPCP GROUP\GENESIS-MANATEE CTY\LOAN MOD\STROLLO FAX.wpd

MICHAEL A. SCHROEDER, P.L.

ATTORNEYS AT LAW
2300 GLADES ROAD
SUITE 400, EAST TOWER
BOCA RATON, FLORIDA 33431

MICHAEL A. SCHROEDER
NANCY S. HARRISON*

TELEPHONE (561) 241-0300
FACSIMILE (561) 241-0798

*ALSO ADMITTED IN MICHIGAN

mschroeder@schroederpl.com
nharrison@schroederpl.com

August 18, 2008

VIA FACSIMILE (941) 723-4576

Mr. Bill Strollo
Director
Code Enforcement Department
City of Palmetto
516 8th Avenue West
Palmetto, Florida 34221

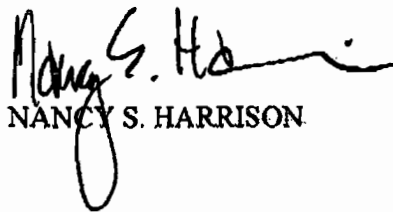
Re: Genesis Development Partners, LLC - Code Violations and Liens

Dear Mr. Strollo:

You and I have spoken on several occasions regarding the code violations and related liens that have been filed against the real property owned by Genesis Development Partners. Those liens have been recorded in Official Records Book 2249, Page 928, Official Records 2253, Page 6512, Official Records Book 2259, Page 350 and Official Records Book 2259, Page 351, all of the Public Records of Manatee County, Florida (collectively, the "Liens"). Please confirm that the City of Palmetto has not filed any additional liens against the subject property.

You indicated that the property owner has undertaken efforts to correct the code violations and that you will be preparing a report of compliance. That being the case, I would ask that you provide a payoff letter from the City of Palmetto setting forth the amount to be paid in order for the City to release the Liens. The payoff letter should: (i) be directed to me; (ii) reference the recorded liens; and (iii) include the payoff amount, whether there is a per diem interest accrual and where payment should be directed. If payment is to be made via wire transfer, please provide us with the City's wire transfer instructions. We hope to have a closing on the loan modification involving this property within a few days. Accordingly, your attention to this matter is appreciated. If you have any questions, do not hesitate to contact me.

Sincerely,



NANCY S. HARRISON

NSH:ajs

cc: Mr. Dale Cooney
Gregg W. McClosky, Esq.
Michael A. Schroeder, Esq.
(All via e-mail)

PALMETTO

3rd Revision

VIA FACSMILE (561) 241-0798

2 Pages

May 8, 2009

Ms. Judith L. Jocis
Michael A. Schroeder, P.I.
Attorney at Law
2300 Glades Road
Suite 400, East Tower
Boca Raton, FL 33431

Re: Genesis Development Partners, LLC – Code Violations and Liens

Dear Ms. Jocis:

Per our conversation on May 14, 2009, the city has revised the total payoff through June 15, 2009 to be \$18,605.00 with no per diem rate for the next 30 days. We have removed the finance charges accrued to date. The check should be payable to the City of Palmetto and sent to 516 8th Avenue West, Palmetto, FL 34220 to the attention of Cheryl Miller. This is based on three liens filed under Genesis Development Partners, property located at 4009 11th St. Ct W and 4111 10th St W, Palmetto. The following are Code Enforcement liens filed with the Manatee County Clerk of Circuit Courts, dates recorded, book, page number and amounts:

Date	Book	Page	Amount
March 3, 2008	2249	0928	\$ 1,004.00
March 3, 2008	2249	0929-0931	Admin Order
March 3, 2008	2249	0932-0936	Notice/Violation
April 4, 2008	2253	6512	\$ 2,528.00
*May 14, 2008	2259	0350	\$15,073.00
May 14, 2008	2259	0351-0356	Order Imposing Fine

*Reflects an updated balance of lien based on the date of compliance of March 25, 2008 and received on August 18, 2008 by Mr. Bill Strollo, Code Enforcement Director. In addition, I have provided a copy of the Accounts Receivable statement for additional documentation.

Please contact me or Matt Misco (for wiring instructions) at (941) 723-4570 if you have any questions or need additional information.

Sincerely,


Cheryl A. Miller, MBA

/cam

cc: Mr. Bill Strollo – CEB 07-15

516 8th Avenue West
P.O. Box 1209
Palmetto, Florida 34220-1209
Phone (941) 723-4570
Fax: (941) 723-4576
Suncom: 516-0829
E-mail: chgeneral@palmettofl.org
Web: www.palmettofl.org

Judy Jocis

Palmetto
Box 1209, 516 8th Avenue West
Palmetto, FL 34220-1209

GENESIS GROUP
101 RIVERFRONT BLVD
SUITE 610
BRADENTON, FL 34205

ACCOUNT NO: 280
STATEMENT DATE: 05/15/09
PAGE NO: 1

INVOICE	DATE	DESCRIPTION	PREV BALANCE	APPLIED	BALANCE DUE
407053519	03/03/08	Code Enf 07-15	1,004.00	.00	1,004.00
407053567	04/21/08	CEB 07-15	2,528.00	.00	2,528.00
407053627	05/12/08	Order Imposing Fi	15,073.00	.00*	15,073.00
407053842	08/31/08	FINANCE CHARGE	72.05	.00	72.05
407053910	10/01/08	FINANCE CHARGE	228.67	.00	228.67
407053950	10/31/08	FINANCE CHARGE	228.67	.00	228.67
407054015	11/30/08	FINANCE CHARGE	228.67	.00	228.67
407054069	12/31/08	FINANCE CHARGE	228.67	.00	228.67
407054146	01/30/09	FINANCE CHARGE	228.67	.00	228.67
407054198	03/02/09	FINANCE CHARGE	228.67	.00	228.67
407054261	03/31/09	FINANCE CHARGE	228.67	.00	228.67
407054313	04/30/09	FINANCE CHARGE	228.67	.00	228.67

18,605

1901.41

* Reduce based on dated of Compliance from Aug 18, 08 to March 25, 08

CURRENT	30 DAYS	60 DAYS	90 DAYS	TOTAL DUE
228.67	228.67	228.67	19,820.40	20,506.41

- (1901.41) \$ 18,605

PLEASE RETURN THIS PORTION WITH PAYMENT

ACCOUNT NUMBER: 280	INDICATE INVOICES PAID:
GENESIS GROUP	407053519 1,004.00
101 RIVERFRONT BLVD	407053567 2,528.00
SUITE 610	407053627 15,073.00
BRADENTON, FL 34205	407053842 72.05
	407053910 228.67
REMIT TO:	407053950 228.67
City Of Palmetto	407054015 228.67
P.O. Box 1209, 516 8th Avenue West	407054069 228.67
Palmetto, FL 34220-1209	407054146 228.67
	407054198 228.67
TOTAL DUE: 20,506.41	407054261 228.67
	407054313 228.67
AMOUNT PAID: _____	

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL
CIRCUIT IN AND FOR MANATEE COUNTY, FLORIDA

CASE NO: 41 2008 CA 007647

FILED FOR RECORD
R.B. SHORE
2009 APR 14 PM 3:02
CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

SPCP GROUP, LLC, a Delaware limited
liability company,)
)
)
Plaintiff,)
)
)
vs.)
)
GENESIS DEVELOPMENT PARTNERS,)
LLC, a Florida limited liability company;)
DENNIS D. BRADFORD, an individual,)
R. DELORIS BRADFORD, an individual;)
and MICHAEL FERNANDEZ, an)
individual,)
)
Defendants.)
/

CERTIFICATE OF TITLE

THE UNDERSIGNED, R.B. SHORE, Clerk of the Court certifies that he
executed and filed a Certificate of Sale in this action on April 3, 2009, for the
property described in the attached "Exhibit A" and that no objections to the sale have been filed
within the time allowed for filing objections and the property was sold to BMR FUNDING,
LLC, 2 Greenwich Plaza, 1st Floor, Greenwich, Connecticut 06830. pursuant to the copy of
Assignment of Mortgage filed on April 10, 2009
WITNESS my hand and seal of this Court on this 14 day of April,
2009.

R.B. SHORE, Clerk
PO Box 25400, Bradenton,
FL 34201



By: Vicky Alvarez-Saez
as Deputy Clerk

Copies furnished to:

Attorney For Plaintiff - Prepared Document
Gregg W. McClosky, Esquire, McClosky, D'Anna & Dieterle, LLP, 2300 Glades Road, Suite 400-East
Tower, Boca Raton, FL 33431

Robert F. Greene, Esquire and Robert C. Schermer, Esquire, Greene & Schermer, 1301 6th Avenue West,
Suite 400, Bradenton, FL 43205

Exhibit "A"

PARCEL 1:

LOTS 10, 11, 12, 13 AND A PORTION OF LOTS 14, 15, 7 AND 8, TERRA-MANA HARBOR AS PER PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 95, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, TOGETHER WITH THOSE LANDS LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF THE "CUTOFF ROAD" (ALSO KNOWN AS 11th STREET COURT WEST) AS SHOWN ON SAID PLAT OF TERRA-MANA HARBOR, ALL BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWESTERLY CORNER OF SAID LOT 10, TERRA-MANA HARBOR; THENCE N35°39'36"E, ALONG THE EASTERLY LINE OF THE WESTERLY 145.0 FEET OF SAID LOTS 8 AND 7, A DISTANCE OF 100.07 FEET (AS MEASURED) TO A POINT ON THE NORTH LINE OF SAID LOT 7; THENCE S55°33'37"E, ALONG SAID NORTH LINE, A DISTANCE OF 5.25 FEET TO THE COMMON CORNER OF SAID LOTS 7, 14, 15 AND 6 OF SAID TERRA-MANA HARBOR; THENCE N17°41'44"E, ALONG THE WESTERLY LINE OF SAID LOT 15, A DISTANCE OF 49.90 FEET TO THE POINT OF INTERSECTION OF SAID WESTERLY LINE AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO.43 (FORMERLY STATE ROAD NO.43 AND ALSO KNOWN AS SNEAD'S ISLAND ROAD), SAID POINT BEING A POINT ON A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1105.92 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 00°40'41", A DISTANCE OF 13.09 FEET (CHORD = 13.09 FEET; CHORD BEARING = S31°48'21"E) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S31°28'01"E, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 212.73 FEET TO THE POINT OF INTERSECTION OF SAID SOUTHWESTERLY RIGHT-OF-WAY LINE AND THE EASTERLY LINE OF AFOREMENTIONED LOT 14; THENCE S08°42'23"E, ALONG SAID EASTERLY LINE, A DISTANCE OF 8.27 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 14, ALSO BEING THE NORTHEASTERLY CORNER OF AFOREMENTIONED LOT 13; THENCE S15°58'02"E, ALONG THE EASTERLY LINE OF SAID LOT 13, A DISTANCE OF 78.47 FEET TO THE NORTHEASTERLY CORNER OF AFOREMENTIONED LOT 12; THENCE N66°08'11"E, 24.38 FEET (MEASURED) TO A POINT ON THE AFOREMENTIONED SOUTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 43; THENCE S31°28'01"E, 124.40 FEET TO THE POINT OF INTERSECTION OF SAID SOUTHWESTERLY RIGHT-OF-WAY LINE AND THE EAST LINE OF U.S. LOT 2 AS SHOWN ON THE PLAT OF TERRA-MANA HARBOR; THENCE S41°08'06"W, ALONG SAID EAST LINE, A DISTANCE OF 129.41 FEET (MEASURED) TO A POINT ON THE OUTSIDE FACE OF AN EXISTING CONCRETE SEAWALL ON THE MANATEE RIVER; THENCE N61°46'27"W, ALONG SAID OUTSIDE FACE, A DISTANCE OF 388.01 FEET TO THE POINT OF INTERSECTION OF SAID SEAWALL AND THE SOUTHERLY EXTENSION OF THE WESTERLY LINE OF AFOREMENTIONED LOT 10; THENCE N37°02'49"E, ALONG SAID SOUTHERLY EXTENSION AND SAID WESTERLY LINE, A DISTANCE OF 201.09 FEET TO THE POINT OF BEGINNING.

LESS RIGHT-OF-WAY FOR "CUTOFF ROAD" (11th STREET COURT WEST) AS SHOWN ON SAID PLAT OF TERRA-MANA HARBOR.

PARCEL 2:

THAT PORTION OF THE RIGHT OF WAY FOR "SNEAD'S ISLAND ROAD" AS SHOWN ON THE PLAT OF TERRA-MANA HARBOR AS PER PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 95, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING BETWEEN THE EASTERLY LINE OF LOT 13 AND A PORTION OF LOT 14 OF SAID TERRA-MANA HARBOR AND

Exhibit "A" continued

THE NEW SOUTHWESTERLY RIGHT OF WAY LINE FOR COUNTY ROAD NO. 43 (SNEAD'S ISLAND ROAD) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWESTERLY CORNER OF LOT 10, SAID TERRA-MANA HARBOR; THENCE N 35°39'36" E, ALONG THE EASTERLY LINE OF THE WESTERLY 145.0 FEET OF LOTS 8 AND 7 OF SAID TERRA MANA HARBOR, A DISTANCE OF 100.07 FEET (AS MEASURED) TO A POINT ON THE NORTH LINE OF SAID LOT 7; THENCE S 55°33'37" E, ALONG SAID NORTH LINE, A DISTANCE OF 5.25 FEET TO THE COMMON CORNER OF LOTS 7, 14, 15 AND 6 OF SAID TERRA-MANA HARBOR; THENCE N 17°41'44" E, ALONG THE WESTERLY LINE OF SAID LOT 15, A DISTANCE OF 49.90 FEET TO THE POINT OF INTERSECTION OF SAID WESTERLY LINE AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 43 (FORMERLY STATE ROAD NO. 43 AND ALSO KNOWN AS SNEAD'S ISLAND ROAD), SAID POINT BEING A POINT ON A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1105.92 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 00°40'41", A DISTANCE OF 13.09 FEET (CHORD = 13.09 FEET; CHORD BEARING = S 31°48'21" e) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 31°28'01" E, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 212.73 FEET TO THE POINT OF INTERSECTION OF SAID SOUTHWESTERLY RIGHT OF WAY LINE AND THE EASTERLY LINE OF AFOREMENTIONED LOT 14, SAID POINT OF INTERSECTION BEING THE POINT OF BEGINNING; THENCE S 08°42'23" E, ALONG SAID EASTERLY LINE OF LOT 14, A DISTANCE OF 8.27 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 14, ALSO BEING THE NORTHEASTERLY CORNER OF AFOREMENTIONED LOT 13; THENCE S 15°58'02" E, ALONG THE EASTERLY LINE OF SAID LOT 13, A DISTANCE OF 78.47 FEET TO THE NORTHEASTERLY CORNER OF AFOREMENTIONED LOT 12; THENCE N 66°08'11" E, 24.38 FEET (MEASURED) TO A POINT ON THE AFOREMENTIONED SOUTHWESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 43; THENCE N 31°28'01" E, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 86.47 FEET TO THE POINT OF BEGINNING.

Whitney Ewing

From: William Strollo
Sent: Tuesday, August 05, 2008 2:25 PM
To: 'Nancy Harrison'
Cc: Jim Freeman; Chris Lukowiak
Subject: RE: Genesis Development, LLC - Code Violations and Liens

Nancy,

I just checked the property this morning; it is not in compliance. The issues I raised with Genesis on July 16, 2008 have not been addressed. When I met with Genesis, the Building Official, the City Planner and the Director of Public Works on June 25, 2008, I agreed to report the property in compliance effective March 25, 2008, the date the City remedied the health and safety violations (the most serious issues) on the property. This agreement was contingent upon Genesis' resolving all remaining violations within a reasonable period of time. To date, these other, less serious violations have not been corrected.

Bill.

-----Original Message-----

From: Nancy Harrison [mailto:nharrison@schroederpl.com]
Sent: Tuesday, August 05, 2008 1:54 PM
To: William Strollo
Subject: RE: Genesis Development, LLC - Code Violations and Liens

Bill -

I am checking on the status of the correction of the various code violations pertaining to the property owned by Genesis Development, LLC. According to their attorney, the violations have been corrected and Genesis is waiting for the City Council to approve a reduction of the liens to approximately \$5,000.00. Is that accurate? If so, what is the time frame for approval of a lien reduction. Thank you for your assistance.

Regards,

Nancy S. Harrison, Esq.
Michael A. Schroeder, P.L.
2300 Glades Road
Suite 400 - East Tower
Boca Raton, Florida 33431
Telephone: (561) 241-0300
Facsimile: (561) 241-0798
E-mail: nharrison@schroederpl.com

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-----Original Message-----

From: William Strollo [mailto:wstrollo@palmettofl.org]

William Strollo

From: William Strollo
Sent: Thursday, July 17, 2008 9:02 AM
To: 'Nancy Harrison'
Cc: Deanna Roberts; Cheryl Miller
Subject: RE: Genesis Development, LLC - Code Violations and Liens

Nancy,

I reviewed the records in our Finance Department, and you are in possession of all of the lien documents filed to date by the City of Palmetto. I do not anticipate additional Code Enforcement action at this time; resolving the current, pending violations are the only remaining issues.

Bill.

-----Original Message-----

From: Nancy Harrison [mailto:nharrison@schroederpl.com]
Sent: Wednesday, July 16, 2008 11:46 AM
To: William Strollo
Subject: RE: Genesis Development, LLC - Code Violations and Liens

Here is the correct attachment. Please disregard the prior one. Thanks.

-----Original Message-----

From: Nancy Harrison
Sent: Wednesday, July 16, 2008 11:43 AM
To: 'wstrollo@palmettofl.org'
Cc: Dale Cooney; Gregg McClosky ; Michael Schroeder; Judy Jocis
Subject: Genesis Development, LLC - Code Violations and Liens

Pursuant to our discussion this morning, I am forwarding to you copies of the code violations and liens of which we are aware. Would you please advise if there are any other code violations and/or liens (pending or recorded) relating to the subject property owned by Genesis.

You indicated that you are meeting with Dennis Bradford this afternoon to address the status of the correction of the remaining outstanding code violations. Our client is the holder of the mortgage on the property and is requiring that the violations be corrected, the fine paid and the lien released in connection with the current financing. I will contact you early next week for an update on the status of the corrections. Thank you for your assistance.

PLEASE NOTE NEW ADDRESS.

Nancy S. Harrison, Esq.
Michael A. Schroeder, P.L.
2300 Glades Road
Suite 400 - East Tower
Boca Raton, Florida 33431
Telephone: (561) 241-0300
Facsimile: (561) 241-0798
E-mail: nharrison@schroederpl.com

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William Strollo

From: Nancy Harrison [nharrison@schroederpl.com]
Sent: Wednesday, July 16, 2008 4:45 PM
To: William Strollo
Subject: RE: Genesis Development, LLC - Code Violations and Liens

That will work. Thanks.

-----Original Message-----

From: William Strollo [mailto:wstrollo@palmettofl.org]
Sent: Wednesday, July 16, 2008 4:43 PM
To: Nancy Harrison
Subject: RE: Genesis Development, LLC - Code Violations and Liens

Nancy,

I will ask our Finance Department to research the City liens; I cannot perform a complete search for liens from other jurisdictions, but I will advise you if there are additional City of Palmetto liens. I will contact you shortly.

Bill.

-----Original Message-----

From: Nancy Harrison [mailto:nharrison@schroederpl.com]
Sent: Wednesday, July 16, 2008 11:46 AM
To: William Strollo
Subject: RE: Genesis Development, LLC - Code Violations and Liens

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PLEASE NOTE NEW ADDRESS.

Nancy S. Harrison, Esq.
Michael A. Schroeder, P.L.
2300 Glades Road
Suite 400 - East Tower
Boca Raton, Florida 33431

PALMETTO

516 8th Avenue West
P.O. Box 1209
Palmetto, Florida 34220-1209
Phone (941) 723-4570
Fax: (941) 723-4576
Suncom: 516-0829
E-mail: chgeneral@palmettofl.org
Web: www.palmettofl.org

BEFORE THE CODE ENFORCEMENT BOARD OF THE CITY OF PALMETTO, FLORIDA

CITY OF PALMETTO

A political subdivision of the
State of Florida

Petitioner,

vs.

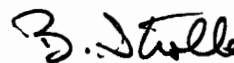
Genesis Development Partners, LLC
101 Riverfront Boulevard, Suite 610
Bradenton, Florida 34205

Case No. CEB – 07-15

Respondent.

REPORT OF COMPLIANCE

This is notice that pursuant to the Administrative Order of the Code Enforcement Board of the City of Palmetto dated January 22, 2008, and the Order Imposing Fine And Lien dated February 26, 2008, the violations of the Palmetto City Code in this matter were corrected effective March 25, 2008.



Director, Code Enforcement

cc: (property owner)



City of Palmetto
Building Department
600 17th Street West
Palmetto, Florida 34221
Phone: (941) 721-2166

Fax: (941) 721-2168

September 10, 2008

Andrew J. Harrington, RMP
5922 9th Ave N
St. Petersburg, FL 33710

RE: 4009 10th St W
4111 10th St W
Palmetto, FL 34221

On Tuesday, September 9th, 2008 inspections were done on the above referenced properties. In attendance for the inspections were the following people ; Bill & Whitney from Code Enforcement ; Rusty from North River Fire Department ; Bryce & Pat from the Building Department , as well as Andrew Harrington.

Upon completion of the Inspections the following items need to be addressed :

4009 10th St W - Units 1 - 6

- 1- Smoke Detectors need to be in working order
- 2- All broken glass needs to be replaced
- 3- All wiring needs to be replaced LEGALLY
- 4- 2 story house is NOT to be occupied !

4111 10th St W - Units 1 - 5

- 1- Unit 5 is NOT to be occupied due to Fire Damage
- 2- Units 2 & 3 are NOT to be rented OR leased
- 3- All broken glass is to be replaced
- 4- Building is for future DEMOLITION when not occupied

Should there be any further questions feel free to contact me at 941-721-2166 Ext. 125

Sincerely,

Bryce Cummings
Deputy Building Official
City of Palmetto
Building Department



PALMETTO

516 8th Avenue West
P.O. Box 1209
Palmetto, Florida 34220-1209
Phone: (941) 723-4570
Fax: (941) 723-4576
e-mail: mayor@palmettofl.org

March 6, 2008

Mr. Charles W. Leonard
P.O. Box 865
Palmetto, Florida 34220-0865

Re: CEB Case No. 07-15/Genesis Development Partners, LLC


Dear Mr. Leonard:

Thank you for your letter of February 27, 2008, regarding CEB Case No. 07-15/Genesis Development Partners, LLC. Code Enforcement Director Bill Strollo, Public Works Director Chris Lukowiak, City Attorney Michele Hall and I met with Mr. Dennis Bradford of Genesis Development on February 28, 2008, to discuss his intentions regarding the problems with his property.

Mr. Bradford agreed to take immediate steps to fill in the pool, repair the septic tank system and demolish several units, to include the fire damaged unit. He seemed willing to work with the city on the problems and promised to attend your next meeting and report his progress leading ultimately to demolition of the structures on the site. Of course, your Board will make the final determination as to his progress and its acceptability.

Please let me know if you require any further assistance from me. Thank you for your very professional handling of this matter.

Sincerely,



Larry Bustle
Mayor

cc: City Commission
Chris Lukowiak, Public Works Director
William Strollo, Code Enforcement Director
Michele S. Hall, *Esq.*, City Attorney
David Persson, *Esq.*, Code Enforcement Board Attorney



516 8th Avenue West
P.O. Box 1209
Palmetto, Florida 34220-1209
Phone (941) 723-4570
Fax: (941) 723-4576
Suncom: 516-0829
E-mail: chgeneral@palmettofl.org
Web: www.palmettofl.org

February 27, 2008

The Honorable Larry Bustle
Mayor of Palmetto
516 8th Avenue West
Palmetto, Florida 34221

Re: CEB Case No. 07-15/Genesis Development Partners, LLC

Dear Mayor Bustle:

The above mentioned case first came to the attention of the Code Enforcement Board at a hearing on November 27, 2007, after a Notice of Violation was issued on October 5, 2007. Subsequent contact with the owners of the property have not succeeded in the correction of the violations outlined in that notice. An Administrative Order was handed down by the Board on January 22, 2008, followed by an Order Imposing Fine and Lien on February 26, 2008. Copies of all documents are attached for your review.

The Code Enforcement Board feels that the violations are so serious that it has directed me, as Chair, to send this appeal to you and the City Commission. The Board finds that the property poses a serious threat to the public health safety and welfare of this community and asks that the City, pursuant to *Florida Statutes 162.06(4)* and *162.09(1)*, direct staff to take immediate action to abate the violations. Costs of abatement would then be passed on to the Respondent in this case.

Two residents of an adjoining community addressed the Board and expressed concern about the danger the violations pose to the community and possible liability that the City might face.

If you need further information regarding this case, please feel free to contact me, or Code Enforcement Director Bill Strollo.

Sincerely,

Charles W. Leonard, Chair
Code Enforcement Board

CWL/dr

Attachments

cc: City Commission
Code Enforcement Board
Bill Strollo, Code Enforcement Director
Michele S. Hall, Esq., City Attorney
Andy Cohen, Esq., Code Enforcement Board Attorney

POINT PAPER
CODE ENFORCEMENT BOARD HEARINGS
NOVEMBER 27, 2007

**Genesis Development Partners, LLC, 101 Riverfront Boulevard Suite 610,
Bradenton, Florida:**

The property that is the subject of this code enforcement action is located at 4009 11th Street Court West and 4111 10th Street West, Palmetto, Florida, Parcel ID # 2936300209.

The Respondents, Genesis Development Partners LLC, are identified as the owners of this property through the Manatee County Property Appraiser's and Manatee County Tax Collector's web sites.

This is an annexed property, and prior issues from October 2006 involving garbage collection and loose trash were resolved when the property was billed for City garbage services. The present issues were brought to my attention on March 23, 2007 through Vicki Bagley of the State of Florida Department of Business and Professional Regulation. I met on site with Ms. Bagley and a representative of the property management firm at that time on March 27, 2007. An inspection of Pelican Perch and the Terra Mana Apartments revealed a sewer spill behind Pelican Perch from a broken sewer line, a burned apartment, broken and missing windows, improper storage, abandoned property and abandoned vessels.

An initial Notice of Violation was written on March 29, 2007, but this was informally e-mailed and later hand delivered to the representative of Genesis Development Partners, Dennis Bradford, on April 3 and 4, 2007 respectively. When I met with Dennis Bradford and the property management representative, Maria, on site on April 4, City garbage services were scheduled to commence, and that resolved the initial loose garbage issues. In addition, I received assurances from Maria that the broken and missing windows would be repaired, that a plumber had been scheduled to repair the broken septic line, and the tenants would be directed to remove their abandoned vessels and improperly stored possessions. Mr. Bradford indicated he would contact a demolition firm to secure and make safe the fire damaged unit.

In subsequent site visits on April 26 and May 16, 2007, I noted no substantive improvements to either complex. On June 11 and July 10 and 20, 2007 I noted an improvement with the improperly stored possessions and abandoned vessels.

On August 3, 2007, I received citizen complaints regarding loose yard waste, overgrown property and abandoned vehicles at both complexes. These issues were addressed with Mr. Bradford over the phone on that date, and he indicated he hired a new property management firm to maintain the property. He stated the new manager would be in contact with me. Upon my return to the site on August 14, 2007, I observed the grass had been cut but the initial issues and the loose yard waste remained unchanged.

On August 17, 2007 I received a complaint regarding missing windows in a vacant apartment. I visited the site on August 21, 2007; in addition to the previously referenced violations, several panes of jalousie window glass were missing from Apartment 5 – the result of someone removing a window air conditioning unit. Both doors to the apartment were unlocked, and the apartment could not be secured due to the opening in the window. I telephoned Dennis Bradford to report the overall condition of this property, and he advised his new property manager would be in contact with me.

On August 22, 2007 I returned to Terra Mana & Pelican Perch; all conditions remained unchanged. I received a telephone call from the residential property manager, Andrew Harrington, and met with him at the property on August 23, 2007. On that date we walked the entire property including the single family house and in-ground pool that was part of this parcel. Issues discussed included loose yard waste, the stagnant, unprotected swimming pool, the condition of the pool enclosure, missing and broken windows, the burned apartment, open storage and the continuing raw sewage spill. At my return visit of August 27, 2007 I noted the grounds around the buildings better maintained, but no improvement in other areas of concern.

On September 13, 18 and 26, 2007, I re-visited Terra Mana and Pelican Perch. Although the grounds were better maintained, the major violations were becoming worse – the removal of the A/C unit from the window to Apartment 3 left a large, uncovered opening in that window; the front window to Apartment 6 was broken. Also, one former tenant reported inoperative toilets in the Pelican Perch units, and he reported those tenants using the facilities in the vacant Terra Mana apartments. On October 2 and 3, 2007, additional visits were performed, and there were no improvements to the site.

On October 5, 2007 a Notice of Violation was forwarded to the Respondents, both certified and regular mail, allowing twenty days for the remediation of the property. Follow-up site visits on October 15 and 23, 2007 and November 5, 2007 revealed no improvements to the property. A Notice of Hearing announcing a Public Hearing on this matter before the Code Enforcement Board on November 27, 2007 was forwarded to the Respondent on November 5, 2007, both certified and regular mail. *(Proofs of Service of the Notice of Violation and the Notice of Hearing are submitted for the record.)*

Recommendation:

It is recommended the Respondents be found in violation of City of Palmetto Code of Ordinances, and that they be directed to bring their property into compliance within ten (10) days. It is further recommended that the City's administrative costs for processing this case, plus any applicable recording fees, be assessed against the Respondents.

Total Costs To City as of November 20, 2007:

Code Enforcement Officers	Twenty-two hours @ \$40.00/hour = \$880.00
Administration costs	One hour @ \$35.00/hour = 35.00
Total Costs	\$915.00

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4009 W 11Suffix Suffix2
ST CT**Options**Sort by: [Parcel ID](#)[Ascending](#)

Results/page: 20

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* required

Data Current as of 26 May 2010

Click rows to view property details

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[SELECTION MANAGER](#)[Parcel ID ▲](#) [Owner Name](#)[Situs Address](#)[Roll](#)☐ 2936300209 BMR FUNDING LLC
☐ 2936300209 BMR FUNDING LLC
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☐ 90001058329TERRA MANA4009 11TH ST CT W UNIT 1.
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PARID: 2936300209
BMR FUNDING LLC**4009 11TH ST CT W 1**

CURRENT RECORD

[1 of 7](#)[Return to Search Results](#)**ID Block**

Account #	2936300209
T/R/S	34S / 17E / 16
Primary Address Location	4009 W 11TH ST CT PALMETTO UNIT 1 34221 PL
2002 Census Tract	001300
FEMA Zone Caveat	NOT A FEMA DETERMINATION
FEMA Flood Zone	AE/10/N/0188 B/64
Hurricane Evacuation Zone	A
Fire District	FD07-NORTH RIVER FD
Exemption Status	No Exemption
Zoning	CITY
Future Land Use	RES-16
DOR Use Code	0803
DOR Description	MULTI-FAMILY (3 TO 10 UNITS)
Neighborhood Name	RIVERFRONT PALMETTO W OF 301
Neighborhood Number	1005
CRA District	
CDD District	
Neighborhood Group	401
Market Area	04
Zone/Field Reference	1
Route Number	185
Map ID	48N16
Acres (If Available)	1.6857
Size Disclaimer	Sq foot estimates derived from rounded exterior wall measurements
Number of Units	6
Living/Business area	10692
Total Under Roof	11874
Unit Desc	UNIT
Short Legal Desc	LOTS 10, 11, 12, 13 & A PORTION OF LOTS 14, 15, 7 & 8, TERRA-MANATEE HARBOUR (PB 8 PG 95) PRMCF, TOGETHER WITH THOSE LANDS LYING S OF THE SLY R/W LN OF THE "CUT-OFF RD"
Unit #	1
Lot ID	10
Block ID	
Subdivision Number	2933800
Subdivision Name	TERRA-MANA HARBOR SUB PB8/95
City/County Tax District	0019
Tax District Name	0019 - PALMETTO

TPP Current Year Date Filed
 TPP Current Year Extension Request

Owners

Name BMR FUNDING LLC
 Address 2 GREENWICH PLAZA, 1ST FL

City GREENWICH
 State CT
 Zip Code 06830
 International Postal Code
 Country

REPORTS

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[Parcel Information Report](#)

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PROPERTY APPRAISER


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PARID: 2936300209
BMR FUNDING LLC
4009 11TH ST CT W 1


Manatee County
Last GIS Data Update: 26-Jan-2010

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[Map](#)

PARID: 2936300209
BMR FUNDING LLC
4009 11TH ST CT W 1
CURRENT RECORD
1 of 7
Return to Search Results
REPORTS
CSV Report
Parcel Information Report
GO
Printable Summary
Printable Version

Sales
Account# 2936300209
Date 14-APR-2009
Sale Amount \$1,100
Vacant/Improved Indicator Improved
Qualification Code 12
Qualification Code Description DISQ-TO OR FROM FINANCIAL INSTITUTIONS
Book 2294
Page 7808
Grantee Name BMR FUNDING LLC
Grantor Name GENESIS DEVELOPMENT PARTNERS, LLC
Deed Type CT-CERTIFICATE OF TITLE

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PROPERTY DETAIL BMR FUNDING LLC 2 GREENWICH PLAZA, 1ST FL GREENWICH, CT 06830		REAL ESTATE PROPERTY ID #: 2936300209 TAX YEAR: 2009 Select a tax Year: 2009 Certificate Number: Certificate Buyer: Temporary Buyer Address: County Administration Bldg Bradenton, FL 34205 Bid Interest: 0.18			
PROPERTY ADDRESS: 4009 11TH ST CT W 1		STATUS: Unpaid			
LEGAL DESCRIPTION: LOTS 10, 11, 12, 13 & A PORTION OF LOTS 14, 15, 7 & 8, TERRA-MANATEE HARBOUR (PB & PG 95) PRMCF, TOGETHER WITH THOSE LANDS LYING S OF THE SLY RAW LN OF THE 'CUT-OFF RD' (ALSO KNOWN AS 11TH ST CT W) AS SHOWN ON SD PLAT OF TERRA-MANA HARBOR, ALL BEING MORE PARTICULARLY DESC AS FOLLOWS. BEGIN AT Full Legal		PRIOR YEARS DUE: 2			
Market Value: 1,523,246 Assessed Value: 1,074,000		EXEMPTIONS: EI CORRECTION: Date: 12/01/2009 Corr #: 8331 Reason: 2009, AD, VAL Per Appraisal			
AD VALOREM TAX:					
Taxing Authority	Assessed Value	Exemptions	Taxable Value	Millage Rate	Taxes Levied
Board Of County Commissioners	1,074,000.00	0.00	1,074,000.00	5.3929	5,791.97
Transportation Trust Fund	1,074,000.00	0.00	1,074,000.00	0.3487	374.50
Library Operations	1,074,000.00	0.00	1,074,000.00	0.2244	241.01
Children's Services	1,074,000.00	0.00	1,074,000.00	0.3333	357.96
School Board Required Effort	1,074,000.00	0.00	1,074,000.00	5.2930	5,684.88
School Board Basic Discretionary	1,074,000.00	0.00	1,074,000.00	0.7480	803.35
School Board Capital Improvement	1,074,000.00	0.00	1,074,000.00	1.5000	1,611.00
Palmetto Operating	1,074,000.00	0.00	1,074,000.00	4.6662	5,011.50
Southwest Fla Water Mng - Manasota Basin	1,074,000.00	0.00	1,074,000.00	0.1484	159.38
Southwest Fla Water Mng - Districtwide	1,074,000.00	0.00	1,074,000.00	0.3865	415.21
Mosquito Control District	1,074,000.00	0.00	1,074,000.00	0.1134	121.79
West Coast Inland Navigation Dist	1,074,000.00	0.00	1,074,000.00	0.0394	42.32
2003 G O Refunding I & S	1,074,000.00	0.00	1,074,000.00	0.1090	117.07
TOTAL AD VALOREM TAX:					19.303306
NON AD VALOREM TAX:					\$20,731.74
Code	Fund			Amount	
FD07	North River Fire Resc			811.26	
TOTAL NON-AD VALOREM TAX:					811.26
GROSS TAX:					\$21,543.00
Interest Penalty					649.29
Commission					1109.48
Advertising Fee					6.00
Auction Fee					10.00
Certificate Interest					1165.74
Collector Fee					6.25
TOTAL:					\$24,486.74
Amount Due if Received By:					
06/30/2010	07/30/2010	08/31/2010	09/30/2010	10/29/2010	
\$24,486.74	\$24,486.74	\$24,486.74	\$24,719.89	\$25,069.61	
PAYMENTS:					
Posted	Receipt	Paid By	Amount	Action	

Nothing found to display.

REFUND

NO REFUNDS AT THIS TIME

ESCROW CODE:

NAME:

ADDRESS:

Contact Info:

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PROPERTY DETAIL		REAL ESTATE PROPERTY ID #: 2936300209			
GENESIS DEVELOPMENT PARTNERS, LLC 101 RIVERFRONT BLVD 610 BRADENTON, FL 34205		TAX YEAR: 2008	Select a tax Year: 2008		
		Certificate Number: 08510			
		Certificate Buyer: Plymouth Park Tax Services LLC			
		Buyer Address: PO Box 2288 Morristown, NJ 07962-2288			
		Bid Interest: 0.0775			
PROPERTY ADDRESS: 4009 11TH ST CT W UNIT 1		STATUS: Unpaid			
LEGAL DESCRIPTION: LOTS 10, 11, 12, 13 & A PORTION OF LOTS 14, 15, 7 & 8 TERRA-MANATEE HARBOUR (PB 8 PG 95) PRMCF. TOGETHER WITH THOSE LANDS LYING S OF THE SLY RAWLN OF THE "CUT-OFF RD" (ALSO KNOWN AS 11TH ST CT W) AS SHOWN ON SD PLAT OF TERRA-MANA HARBOR, ALL BEING MORE PARTICULARLY DESC AS FOLLOWS. BEGIN AT ... Full Legal		PRIOR YEARS DUE: 2			
Market Value: 1,687,490		EXEMPTIONS:	EI CORRECTION:		
Assessed Value: 1,687,490					
AD VALOREM TAX:					
Taxing Authority	Assessed Value	Exemptions	Taxable Value	Millage Rate	Taxes Levied
Board Of County Commissioners	1,687,490.00	0.00	1,687,490.00	5.3989	9,009.34
Transportation Trust Fund	1,687,490.00	0.00	1,687,490.00	0.3843	648.50
Library Operations	1,687,490.00	0.00	1,687,490.00	0.2428	409.72
Children's Services	1,687,490.00	0.00	1,687,490.00	0.3333	562.44
School Board Required Effort	1,687,490.00	0.00	1,687,490.00	4.9910	8,422.26
School Board Basic Discretionary	1,687,490.00	0.00	1,687,490.00	0.4980	840.37
School Board - Supplemental Discretionary	1,687,490.00	0.00	1,687,490.00	0.1330	224.44
School Board Capital Improvement	1,687,490.00	0.00	1,687,490.00	1.7500	2,953.11
Palmtoe Operating	1,687,490.00	0.00	1,687,490.00	4.6642	7,874.17
Southwest Fla Water Mg - Manasota Basin	1,687,490.00	0.00	1,687,490.00	0.1484	250.42
Southwest Fla Water Mg - Districtwide	1,687,490.00	0.00	1,687,490.00	0.3866	652.38
Mosquito Control District	1,687,490.00	0.00	1,687,490.00	0.1088	183.60
West Coast Inland Navigation Dist	1,687,490.00	0.00	1,687,490.00	0.0394	66.49
2003 G O Refunding I & S	1,687,490.00	0.00	1,687,490.00	0.0958	161.32
TOTAL AD VALOREM TAX:			19.116300	\$32,258.58	
NON AD VALOREM TAX:					
Code	Fund	Amount			
FD07	North River Fire Resc	764.64			
TOTAL NON-AD VALOREM TAX:			764.64		
GROSS TAX:			\$33,023.20		
Interest Penalty			990.70		
Commission			1700.70		
Advertising Fee			6.00		
Certificate Interest			2999.03		
Collector Fee			8.25		
TOTAL:			\$38,725.88		
Amount Due If Received by:					
06/30/2010	07/30/2010	08/31/2010	09/30/2010	10/29/2010	
\$38,725.88	\$38,956.56	\$39,187.28	\$39,417.97	\$39,648.65	
PAYMENTS:					
Posted	Receipt	Paid By	Amount	Action	
Nothing found to display.					
REFUND					
NO REFUNDS AT THIS TIME					

ESCROW CODE:

NAME:

ADDRESS:

Contact Info:

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PROPERTY DETAIL GENESIS DEVELOPMENT PARTNERS, LLC 101 RIVERFRONT BLVD 610 BRADENTON, FL 34205		REAL ESTATE PROPERTY ID #: 2936300209 TAX YEAR: 2007 Select a tax Year: 2007 Certificate Number: 004540 Certificate Buyer: BankAtlantic Buyer Address: C/O Tax Certificate Department P O Box 5707 Fort Lauderdale, FL 33310 Bid Interest: 0.1475 <small>Eligible for tax deed application by certificate buyer. Contact Delinquent Department for further information (941)741-4832.</small>																																																																																																							
PROPERTY ADDRESS: 4009 11TH ST CT W UNIT 1		STATUS: Unpaid																																																																																																							
LEGAL DESCRIPTION: LOTS 10, 11, 12, 13 & A PORTION OF LOTS 14, 15, 7 & 8, TERRA-MANATEE HARBOUR (PB 8 PG 95) PRMCF, TOGETHER WITH THOSE LANDS LYING S OF THE SLY RAWLN OF THE "CUT-OFF RD" (ALSO KNOWN AS 11TH ST CT W) AS SHOWN ON SD PLAT OF TERRA-MANA HARBOR, ALL BEING MORE PARTICULARLY DESC AS FOLLOWS: BEGIN AT Full Legal		PRIOR YEARS DUE: 2																																																																																																							
Market Value: 1,818,797 Assessed Value: 1,818,797	EXEMPTIONS:	EI CORRECTION:																																																																																																							
AD VALOREM TAX:																																																																																																									
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Taxing Authority</th> <th style="text-align: right;">Assessed Value</th> <th style="text-align: right;">Exemptions</th> <th style="text-align: right;">Taxable Value</th> <th style="text-align: right;">Millage Rate</th> <th style="text-align: right;">Taxes Levied</th> </tr> </thead> <tbody> <tr><td>Board Of County Commissioners</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">5.2562</td><td style="text-align: right;">9,559.96</td></tr> <tr><td>Environmental Lands</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.0581</td><td style="text-align: right;">105.87</td></tr> <tr><td>Transportation Trust Fund</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.4455</td><td style="text-align: right;">810.46</td></tr> <tr><td>Library Operations</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.2061</td><td style="text-align: right;">374.85</td></tr> <tr><td>Children's Services</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.3333</td><td style="text-align: right;">606.21</td></tr> <tr><td>School Board Required Effort</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">5.0280</td><td style="text-align: right;">9,144.91</td></tr> <tr><td>School Board Basic Discretionary</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.5100</td><td style="text-align: right;">927.59</td></tr> <tr><td>School Board - Supplemental Discretionary</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.1280</td><td style="text-align: right;">232.81</td></tr> <tr><td>School Board Capital Improvement</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">2.0000</td><td style="text-align: right;">3,637.59</td></tr> <tr><td>Palmetto Operating</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">4.6662</td><td style="text-align: right;">8,488.87</td></tr> <tr><td>Southwest Fla Water Mgt - Manasota Basin</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.1484</td><td style="text-align: right;">269.91</td></tr> <tr><td>Southwest Fla Water Mgt - Districtwide</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.3868</td><td style="text-align: right;">703.15</td></tr> <tr><td>Mosquito Control District</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.1036</td><td style="text-align: right;">188.43</td></tr> <tr><td>West Coast Inland Navigation Dist</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.0394</td><td style="text-align: right;">71.68</td></tr> <tr><td>2003 G O Refunding I & S</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.00</td><td style="text-align: right;">1,818,797.00</td><td style="text-align: right;">0.0876</td><td style="text-align: right;">159.33</td></tr> <tr> <td>TOTAL AD VALOREM TAX:</td> <td></td> <td></td> <td style="text-align: right;">19.397100</td> <td></td> <td style="text-align: right;">\$35,279.40</td> </tr> </tbody> </table>	Taxing Authority	Assessed Value	Exemptions	Taxable Value	Millage Rate	Taxes Levied	Board Of County Commissioners	1,818,797.00	0.00	1,818,797.00	5.2562	9,559.96	Environmental Lands	1,818,797.00	0.00	1,818,797.00	0.0581	105.87	Transportation Trust Fund	1,818,797.00	0.00	1,818,797.00	0.4455	810.46	Library Operations	1,818,797.00	0.00	1,818,797.00	0.2061	374.85	Children's Services	1,818,797.00	0.00	1,818,797.00	0.3333	606.21	School Board Required Effort	1,818,797.00	0.00	1,818,797.00	5.0280	9,144.91	School Board Basic Discretionary	1,818,797.00	0.00	1,818,797.00	0.5100	927.59	School Board - Supplemental Discretionary	1,818,797.00	0.00	1,818,797.00	0.1280	232.81	School Board Capital Improvement	1,818,797.00	0.00	1,818,797.00	2.0000	3,637.59	Palmetto Operating	1,818,797.00	0.00	1,818,797.00	4.6662	8,488.87	Southwest Fla Water Mgt - Manasota Basin	1,818,797.00	0.00	1,818,797.00	0.1484	269.91	Southwest Fla Water Mgt - Districtwide	1,818,797.00	0.00	1,818,797.00	0.3868	703.15	Mosquito Control District	1,818,797.00	0.00	1,818,797.00	0.1036	188.43	West Coast Inland Navigation Dist	1,818,797.00	0.00	1,818,797.00	0.0394	71.68	2003 G O Refunding I & S	1,818,797.00	0.00	1,818,797.00	0.0876	159.33	TOTAL AD VALOREM TAX:			19.397100		\$35,279.40	NON AD VALOREM TAX:		
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Posted	Receipt	Paid By	Amount	Action
Nothing found to display.				
REFUND				
NO REFUNDS AT THIS TIME				
ESCROW CODE:				
NAME:				
ADDRESS:				
Contact Info:				

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Print Bill

Navigate to the payment section below to view/print receipts.

PROPERTY DETAIL		REAL ESTATE PROPERTY ID #: 2936300209	
GENESIS DEVELOPMENT PARTNERS, LLC 101 RIVERFRONT BLVD 610 BRADENTON, FL 34205		TAX YEAR: 2006	Select a tax Year: 2006
PROPERTY ADDRESS: 4009 11TH ST CT W UNIT 1		STATUS: Paid	
LEGAL DESCRIPTION: LOTS 10, 11, 12, 13 & A PORTION OF LOTS 14, 15, 7 & 8, TERRA-MANATEE HARBOUR (PB 8 PG 95) PRMCF, TOGETHER WITH THOSE LANDS LYING S OF THE SLY R/W LN OF THE "CUT-OFF RD" (ALSO KNOWN AS 11TH ST CT W) AS SHOWN ON SD PLAT OF TERRA-MANA HARBOR, ALL BEING MORE PARTICULARLY DESC AS FOLLOWS: BEGIN AT Full Legal		PRIOR YEARS DUE: 2	
Market Value: 1,743,091		EXEMPTIONS:	EI CORRECTION:
Assessed Value: 1,743,091			
AD VALOREM TAX:			
Taxing Authority	Assessed Value	Exemptions	Taxable Value
Board Of County Commissioners	1,743,091.00	0.00	1,743,091.00
Environmental Lands	1,743,091.00	0.00	1,743,091.00
Transportation Trust Fund	1,743,091.00	0.00	1,743,091.00
Library Operations	1,743,091.00	0.00	1,743,091.00
Childrens' Services	1,743,091.00	0.00	1,743,091.00
School Board Required Effort	1,743,091.00	0.00	1,743,091.00
School Board Basic Discretionary	1,743,091.00	0.00	1,743,091.00
School Board - Supplemental Discretionary	1,743,091.00	0.00	1,743,091.00
School Board Capital Improvement	1,743,091.00	0.00	1,743,091.00
Palmetto Operating	1,743,091.00	0.00	1,743,091.00
Southwest Fla Water Mg - Manasota Basin	1,743,091.00	0.00	1,743,091.00
Southwest Fla Water Mg - Districtwide	1,743,091.00	0.00	1,743,091.00
Mosquito Control District	1,743,091.00	0.00	1,743,091.00
West Coast Inland Navigation Dist	1,743,091.00	0.00	1,743,091.00
Emerson Point I & S	1,743,091.00	0.00	1,743,091.00
2003 G O Refunding I & S	1,743,091.00	0.00	1,743,091.00
TOTAL AD VALOREM TAX:			21.021600
NON AD VALOREM TAX:			\$36,642.56
Code	Fund	Amount	
FD07	North River Fire Resc	683.10	
TOTAL NON-AD VALOREM TAX:		683.10	
GROSS TAX:		\$37,325.66	
Advertising Fee		6.00	
Interest		1,119.77	
TOTAL:		\$38,461.43	
Amount Due If Received by:			
NOV 30	DEC 29	JAN 31	FEB 28
\$35,832.63	\$36,205.89	\$36,579.15	\$36,952.40
			MAR 30
			\$37,325.66
PAYMENTS:			
Posted	Receipt	Paid By	Amount
05/30/2007	A05302007P004475	Genesis Development Partn...	38,451.43
			receipt summary
REFUND			
NO REFUNDS AT THIS TIME			
ESCROW CODE:			
NAME:			
ADDRESS:			
Contact Info:			

THIS INFORMATION IS BELIEVED TO BE CORRECT BUT IS SUBJECT TO CHANGE AND NOT WARRANTED

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CUSTOMER	INV/CHCK#	TYPE	REFERENCE	DUE DATE	CURRENT	30 DAYS	60 DAYS	90+ DAYS	ORIGINAL	

280	GENESIS GROUP									
	407053519	CDE	Code Enf 07-15	04/02/08				1,004.00	1,004.00	
	407053842	FIN	FINANCE CHARGE	08/31/08				72.05	186.41	
	407054069	FIN	FINANCE CHARGE	12/31/08				228.67	228.67	
	407054146	FIN	FINANCE CHARGE	01/30/09				228.67	228.67	
	407054500	FIN	FINANCE CHARGE	07/31/09		171.17			171.17	
	** CUSTOMER TOTAL **			BAL DUE:	1,704.56	.00	171.17	.00	1,533.39	1,818.92
0011152000	TOTAL			BAL DUE:	1,704.56	.00	171.17	.00	1,533.39	1,818.92
280	GENESIS GROUP									
	407053567	CDE	CEB 07-15	05/21/08				2,528.00	2,528.00	
	407053627	cde	Order Imposing	06/11/08				15,073.00	21,323.00	
	407053910	FIN	FINANCE CHARGE	10/01/08				228.67	228.67	
	407053950	FIN	FINANCE CHARGE	10/31/08				228.67	228.67	
	407054015	FIN	FINANCE CHARGE	11/30/08				228.67	228.67	
	407054198	FIN	FINANCE CHARGE	03/02/09				228.67	228.67	
	407054261	FIN	FINANCE CHARGE	03/31/09				228.67	228.67	
	407054313	FIN	FINANCE CHARGE	04/30/09				228.67	228.67	
	407054370	FIN	FINANCE CHARGE	05/31/09				171.17	171.17	
	407054447	FIN	FINANCE CHARGE	06/30/09			171.17		171.17	
	** CUSTOMER TOTAL **			BAL DUE:	19,315.36	.00	.00	171.17	19,144.19	25,565.36
0011152500	TOTAL			BAL DUE:	19,315.36	.00	.00	171.17	19,144.19	25,565.36

\$21,019.92

8/19/09 R @ Mark B. + Tim for foreclosure

\$250/DAY FEB. 1, 2008 -
MARCH 25, 2008 - Final

Demolition Costs

Admin Costs

NOTICE OF LIEN



DATE:

February 28, 2008

RESPONDENT:

Genesis Development Partners, LLC
and to all those claiming by, through or
under same:

MAILING ADDRESS:

101 Riverfront Blvd.,
Suite 610
Bradenton, FL 34205

The CITY OF PALMETTO, County of Manatee, State of Florida, 516 8th Ave W, P.O. Box 1209, Palmetto, Florida, 34220-1209, claims a lien against any real or personal property owned by the Respondent, for violation of Palmetto Code of Ordinances, Chapter 7, Article XI, Minimum Maintenance Standards, Section 7-237(a)1, (a)2 & (a)3, Section 7-238(a) 1; Section 7-240(b); Chapter 7, Article VII, Dangerous and Unsafe Buildings, Sec. 7-151, Sec. 7-153(b)(1-7); Chapter 16, Article II, Nuisances, Section 16-26, Section 16-26(1), Section 16-26(2), Section 16-26(4) and Section 16-27(a)&(b); Chapter 19, Licenses and Business Regulations, Article II Section 19-26, Section 19-27(a), Section 19-28(a), Section 19-29, Section 19-35, Section 19-37 and Section 19-42; Appendix B, Zoning Code, Article III, Definitions, Section 3.2 and Article VI, Supplemental Regulations, Sec. 6.6 Screening of Open Storage, (a)&(b). CEB Case 07-15.

**LIEN AMOUNT PLUS ANY OTHER EXPENSES ALLOWED BY LAW OR
ORDINANCE ACCRUING AND BECOMING DUE: \$1,004.00**

VIOLATION STREET ADDRESS:

4009 11th St. Ct. W.
Palmetto, FL 34221

AND

4111 10th St. W.
Palmetto FL 34221

A.O. - Admin Costs
+ Supporting Docs According
here

PROPERTY ID No.

29363.0020/9

I hereby certify that on this date a copy of this Notice of Lien and an attached certified copy of the Order Imposing Fine have been sent by ordinary U.S. Mail, postage prepaid, to the Owner(s) at the address listed above.

THE CITY OF PALMETTO

By: 
James R. Freeman, City Clerk

SEAL

Sworn to and subscribed before me this 28th day of February, 2008.


NOTARY PUBLIC

NOTARY PUBLIC-STATE OF FLORIDA
Diane Ponder
Commission #DD574850
Expires: JULY 17, 2010
BONDED THRU ATLANTIC BONDING CO., INC.



516 8th Avenue West
P.O. Box 1209
Palmetto, Florida 34220-1209
Phone (941) 723-4570
Fax: (941) 723-4576
Suncom: 516-0829
E-mail: chgeneral@palmettofl.org
Web: www.palmettofl.org

**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.

Genesis Development Partners, LLC
101 Riverfront Blvd., Ste 610
Bradenton, Florida 34205
Respondent

I, THE CITY CLERK OF THE CITY OF PALMETTO,
FLORIDA, DO HEREBY CERTIFY THAT THE
ABOVE AND FOREGOING IS A TRUE AND
CORRECT COPY OF THE ORIGINAL THEREOF
ON FILE IN MY OFFICE WITNESS MY HAND AND
SEAL OF SAID CITY THIS 26 DAY OF February
A.D., 2008

[Signature]
CITY CLERK, CITY OF PALMETTO, FLORIDA

Case No. CEB 07-15

Re Violation Location: 4009 11th St. Ct. W. and 4111 10th St. W.
Palmetto, Florida 34221

Legal Description: LOTS 10, 11, 12, 13 & A PORTION OF LOTS 14, 15, 7 & 8, TERRA-MANATEE HARBOUR (PB 8 PG 95) PRMCF, TOGETHER WITH THOSE LANDS LYING S OF THE SLY R/W LN OF THE "CUT-OFF RD" (ALSO KNOWN AS 11TH ST. CT W) AS SHOWN ON SD PLAT OF TERRA-MANA HARBOR, ALL BEING MORE PARTICULARLY DESC AS FOLLOWS: BEGIN AT THE NWLY COR OF SD LOT 10, TERRA-MANA HARBOR; TH N 35 DEG 39 MIN 36 SEC E, ALNG THE ELY LN OF THE WLY 145 FT OF SD LOT 8 & 7, A DIST OF 100.07 FT (AS MEASURED) TO A PT ON THE N LN OF SD LOT 7; TH S 55 DEG 33 MIN 37 SEC E, ALNG SD N LN, A DIST OF 5.25 FT TO THE COMMON COR OF SD LOTS 7, 14, 15 & 6 OF SD TERRA-MANA HARBOR; TH N 17 DEG 41 MIN 44 SEC E, ALNG THE WLY LN OF SD LOT 15, A DIST OF 49.90 FT TO THE PT OF INTERSEC OF SD WLY LN & THE SWLY R/W LN OF COUNTY RD NO. 43 (FORMALY SR NO.43 & A/K/A SNEAD ISLAND RD), SD PT BEING A PT ON A CURVE, CONCAVE TO THE SW, HAVING A RAD OF 1105.92 FT; TH SELY, ALNG THE ARC OF SD CURVE & SD R/W LN, THROUGH A C/A OF 00 DEG 40 MIN 41 SEC, A DIST OF 13.09 FT (CHORD = 13.09 FT; CHORD BEARING = S 31 DEG 48 MIN 21 SEC E) TO THE PT OF TANGENCY OF SD CURVE; TH S 31 DEG 28 MIN 01 SEC E, ALNG SD SWLY R/W LN, A DIST OF 212.73 FT TO THE PT OF INTERSEC OF SD SWLY R/W LN & THE ELY LN OF AFOREMENTIONED LOT 14; TH S 08 DEG 42 MIN 23 SEC E, ALNG SD ELY LN, A DIST OF 8.27 FT TO THE SELY COR OF SD LOT 14, ALSO BEING THE NELY COR OF AFORMENTIONED LOT 13; TH S 15 DEG 58 MIN 02 SEC E, ALNG THE ELY LN OF SD LOT 13, A DIST OF 78.47 FT TO THE NELY COR OF AFOREMENTIONED LOT 12; TH

Parcel ID #: 29363.0020/9

Genesis Development Partners, LLC
Administrative Order
January 22, 2008
Page 2 of 3

ADMINISTRATIVE ORDER

THIS MATTER came before the City of Palmetto Code Enforcement Board for Public Hearing on January 22, 2008 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 Respondent's property has:

1. A septic tank behind the two story units at Pelican Perch is leaking raw sewage onto the ground.
2. An in-ground swimming pool at Terra Mana is full of stagnant water and is providing a breeding place for mosquitoes. In addition, many of the pool cage screens have been destroyed and no longer afford protection from insect infestation. In addition, due to the neglect of this pool cage, the filled pool lacks a child protective barrier and presents a serious child safety issue.
3. One of the rental units at Pelican Perch has been destroyed by fire.
4. Two of the units at Terra Mana, Apartments 3 & 5, are missing window glass and one unit has not been secured against unauthorized entry.
5. The front window to Apartment 6 at Pelican Perch is broken. Apartments 3 & 5 at Terra Mana are missing window glass from the apartment windows.
6. The property contains trash, debris and dead vegetation.
7. You have been renting apartments at the locations known as (1) Pelican Perch, 4111 10th Street West and (2) Terra Mana, 4009 11th Street Court West without securing an occupational license from the City of Palmetto.
8. Exercise equipment is located on the second floor balcony in front of Apartment 8, Pelican Perch; coils of cable are stored in front of one of the Pelican Perch apartments; personal belongings are scattered between the two buildings of Terra Mana.

CONCLUSIONS OF LAW:

1. The Code Enforcement Board is properly convened. Notice has been given and all conditions precedent have been satisfied.
2. The Respondent has violated Palmetto Code of Ordinances, Chapter 7, Article XI, Minimum Maintenance Standards, Section 7-237(a)1, (a)2 & (a)3, Section 7-238(a)1; Section 7-240(b); Chapter 7, Article VII, Dangerous and Unsafe Buildings, Sec. 7-151, Sec. 7-153 (b) (1-7); Chapter 16, Article II, Nuisances, Section 16-26, Section 16-26(1), Section 16-26(2), Section 16-26(4) and Section 16-27(a) & (b); Chapter 19, Licenses and Business Regulations, Article II Section 19-26, Section 19-27(a), Section 19-28(a), Section 19-29, Section 19-35, Section 19-37 and Section 19-42; Appendix B, Zoning Code, Article III, Definitions, Section 3.2 and Article VI, Supplemental Regulations, Sec. 6.6. Screening of Open Storage, (a) & (b).

Genesis Development Partners, LLC
Administrative Order
January 22, 2008
Page 3 of 3

ORDER

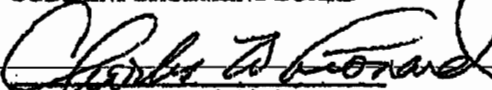
The Respondent, Genesis Development Partners, LLC, is found in violation of the Palmetto Code of Ordinances as noticed, and given ten (10) days, or until February 1, 2008, to comply with the Palmetto Code of Ordinances cited above. If the aforementioned action is not taken by February 1, 2008, a fine of up to \$250.00 per day may be imposed for each day the violation continues past the date and time specified herein. The Respondent is entitled to notice and an opportunity to be heard prior to a fine being assessed. A Public Hearing will be held on February 26, 2008, to determine if the violation has been corrected. Administrative costs incurred by the city in the prosecution of this case in the amount of \$915.00, plus any applicable recording fees, are hereby assessed. Additional/ongoing costs incurred by the City in the prosecution of this case may be assessed. Upon recording, such costs shall constitute a lien.

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 22nd day of January 2008.

CITY OF PALMETTO
CODE ENFORCEMENT BOARD


Charles W. Leonard, Chairman

Attest:


James R. Freeman, City Clerk

I hereby certify that a true copy of the foregoing Administrative Order has been furnished to the Respondent by Certified Mail/ Return Receipt Requested and by Regular Mail this 23rd day of January 2008.


Deanna Roberts, Clerk of the Board



EXHIBIT "A"

516 8th Avenue West
P.O. Box 1209
Palmetto, Florida 34220-1209
Phone (941) 723-4570
Fax: (941) 723-4576
Suncom: 516-0829
E-mail: chgeneral@palmettofl.org
Web: www.palmettofl.org

CODE ENFORCEMENT

NOTICE OF VIOLATION

CERTIFIED MAIL/RETURN RECEIPT REQUESTED
CERTIFIED MAIL NO. 7006 0100 0006 2638 6900 AND REGULAR MAIL

Genesis Development Partners, LLC
101 Riverfront Boulevard 610
Bradenton, Florida 34205

RE: City of Palmetto, Petitioner, v. Genesis Development Partners, LLC

Address of Violation: 4009 11th Street Court West & 4111 10th Street West,
Palmetto, Florida

Legal Description: LOTS 10, 11, 12, 13 & A PORTION OF LOTS 14, 15, 7
& 8, TERRA-MANATEE HARBOUR (PB 8 PG 95) PRMCF, TOGETHER
WITH THOSE LANDS LYING S OF THE SLY R/W LN OF THE "CUT-
OFF RD" (ALSO KNOW AS 11TH ST CT W) AS SHOWN ON SD PLAT
OF TERRA-MANA HARBOR, ALL BEING MORE PARTICULARLY
DESC AS FOLLOWS: BEGIN AT THE NWLY COR OF SD LOT 10,
TERRA-MANA HARBOR; TH N 35 DEG 39 MIN 36 SEC E, ALNG THE
ELY LN OF THE WLY 145 FT OF SD LOT 8 & 7, A DIST OF 100.07 FT
(AS MEASURED) TO A PT ON THE N LN OF SD LOT 7; TH S 55 DEG
33 MIN 37 SEC E, ALNG SD N LN, A DIST OF 5.25 FT TO THE
COMMON COR OF SD LOTS 7, 14, 15 & 6 OF SD TERRA-MANA
HARBOR; TH N 17 DEG 41 MIN 44 SEC E, ALNG THE WLY LN OF SD
LOT 15, A DIST OF 49.90 FT TO THE PT OF INTERSEC OF SD WLY
LN & THE SWLY R/W LN OF COUNTY RD NO. 43 (FORMALY SR
NO.43 & A/K/A SNEAD ISLAND RD), SD PT BEING A PT ON A CURVE,
CONCAVE TO THE SW, HAVING A RAD OF 1105.92 FT; TH SELY,
ALNG THE ARC OF SD CURVE & SD R/W LN, THROUGH A C/A OF 90
DEG 40 MIN 41 SEC, A DIST OF 13.09 FT (CHORD = 13.09 FT; CHORD
BEARING = S 31 DEG 48 MIN 21 SEC E) TO THE PT OF TANGENCY
OF SD CURVE; TH S 31 DEG 28 MIN 01 SEC E, ALNG SD SWLY R/W
LN, A DIST OF 212.73 FT TO THE PT OF INTERSEC OF SD SWLY R/W
LN & THE ELY LN OF AFOREMENTIONED LOT 14; TH S 08 DEG 42
MIN 23 SEC E, ALNG SD ELY LN, A DIST OF 8.27 FT TO THE SELY
COR OF SD LOT 14, ALSO BEING THE NELY COR OF
AFOREMENTIONED LOT 13; TH S 15 DEG 58 MIN 02 SEC E, ALNG

Genesis Development 4009 11th Street Court West
Notice of Violation
Page 2 of 5

**THE ELY LN OF SD LOT 13, A DIST OF 78.47 FT TO THE NELY COR
OF AFOREMENTIONED LOT 12; TH
Parcel ID 2936300209**

Genesis Development Partners LLC:

The purpose of this letter is to provide you with notice that based upon investigation of alleged violations of the City Code, and upon inspection by the undersigned, it has been determined that a violation of the City Code is occurring at the above-referenced property. The Code provisions that are in violation and the nature of the violations are as follows:

Palmetto Code of Ordinances, Chapter 7, Article XI, Minimum Maintenance Standards, Section 7-237(a)1, (a)2 & (a)3, Section 7-238(a)1; Section 7-240(b); Chapter 7, Article VII, Dangerous and Unsafe Buildings, Sec. 7-151, Sec. 7-153 (b) (1-7); Chapter 16, Article II, Nuisances, Section 16-26, Section 16-26(1), Section 16-26(2), Section 16-26(4) and Section 16-27(a) & (b); Chapter 19, Licenses and Business Regulations, Article II Section 19-26, Section 19-27(a), Section 19-28(a), Section 19-29, Section 19-35, Section 19-37 and Section 19-42; Appendix B, Zoning Code, Article III, Definitions, Section 3.2 and Article VI, Supplemental Regulations, Sec. 6.6, Screening of Open Storage, (a) & (b).

- Chapter 7, Article XI, Sec. 7-237(a)1. All deteriorated or damaged structural or decorative elements shall be repaired or replaced.
- Chapter 7, Article XI, Sec. 7-237(a)2. Every part of a structure visible from a public right-of-way shall be kept structurally sound.
- Chapter 7, Article XI, Sec. 7-237(a)3. Walls shall be repaired and painted to present a neat and clean appearance.
- Chapter 7, Article XI, Sec. 7-238(a)1. Every broken or missing window shall be repaired or replaced.
- Chapter 7, Article XI, Sec. 7-240(b). All roofs and existing gutters and downspouts shall be maintained to prevent damage to the structure and adjoining properties and the public.
- Chapter 7, Article VII, Sec. 7-151. Definitions. Abandoned and Dilapidated.
- Chapter 7, Article VII, Sec. 7-153 (b) (1-7) Unfit or unsafe dwellings or structures, declared nuisance.
- Chapter 16, Article II, Sec. 16-26. Nuisances defined.
- Chapter 16, Article II, Sec. 16-26(1). Low places upon any lot, tract of land, improved or unimproved, that may reasonably become a breeding place for mosquitoes, or otherwise threatens or endangers the public health, safety or welfare.
- Chapter 16, Article II, Sec. 16-26(2). The accumulation of trash, filth, rubbish, garbage, improperly treated sewage or other materials in such a manner as to cause infestation, threatens or endangers the public health or is likely to adversely affect the economic welfare of adjacent property.
- Chapter 16, Article II, Sec. 16-26(4). Partition fences, buildings or other structures that have fallen into such a poor state of repair that they may reasonably become infested or inhabited by rodents, vermin or wild animals, or may threaten or endanger the public health, safety

Genesis Development 4009 11th Street Court West
Notice of Violation
Page 3 of 5

- or welfare, or is likely to adversely affect and impair the economic welfare of adjacent property.
- Chapter 16, Article II, Sec. 16-27(a) & (b). Nuisances are hereby prohibited. This article may be enforced against any violator, which may include the owner of the premises on which a nuisance exists or the person or persons generating the nuisance.
- Chapter 19, Article II, Sec. 19-26. No person shall engage in or manage any profession, business or occupation in the city without a city license.
- Chapter 19, Article II, Sec. 19-27(a). Each person shall make application to the City Clerk providing all information necessary for proper determination of the license tax due.
- Chapter 19, Article II, Sec. 19-28(a). Occupational licenses shall be issued by the city clerk on such date a person begins to initially conduct business in the city.
- Chapter 19, Article II, Sec. 19-29. Any person holding himself out to the public as providing goods, services or property to the public shall be liable for an occupational license.
- Chapter 19, Article II, Sec. 19-35. The burden of securing a license rests with the person who would own the license if secured.
- Chapter 19, Article II, Sec. 19-37. The Code Enforcement Board shall be responsible for enforcing this article.
- Chapter 19, Article II, Sec. 19-42. Each applicant shall be required to procure a separate license for each category which applies to his activities.
- Appendix B, Article III, Sec. 3.2. Open storage defined.
- Appendix B, Article VI, Sec. 6.6. Screening of Open Storage: (a) When open storage abuts a collector or arterial street, the method of screening shall consist of solid wooden or masonry walls...
- Sec. 6.6. Screening of Open Storage; (b) When an open storage area abuts a residentially zoned district, the method of screening shall consist of solid wooden or masonry walls...

DESCRIPTION OF VIOLATION:

- A septic tank behind the two story units at Pelican Perch is leaking raw sewage onto the ground.
- An in-ground swimming pool at Terra Mana is full of stagnant water and is providing a breeding place for mosquitoes. In addition, many of the pool cage screens have been destroyed and no longer afford protection from insect infestation. In addition, due to the neglect of this pool cage, the filled pool lacks a child protective barrier and presents a serious child safety issue.
- One of the rental units at Pelican Perch has been destroyed by fire.
- Two of the units at Terra Mana, Apartments 3 & 5, are missing window glass and cannot be secured against unauthorized entry.
- The front window to Apartment 6 at Pelican Perch is broken. Apartments 3 & 5 at Terra Mana are missing window glass from the apartment windows.

Genesis Development 4009 11th Street Court West
Notice of Violation
Page 4 of 5

- The property contains trash, debris and dead vegetation. A vehicle engine block has been abandoned in the parking lot at Terra Mana.
- You have been renting apartments at the locations known as (1) Pelican Perch, 4111 10th Street West and (2) Terra Mana, 4009 11th Street Court West without securing an occupational license from the City of Palmetto.
- Personal belongings including furniture, exercise equipment and storage boxes are located on the second floor balcony in front of Apartment 8, Pelican Perch.

TO REMEDY THESE VIOLATIONS, you must accomplish the following action within twenty (20) days of receipt of this Notice. The corrective action necessary is as follows:

- Repair and maintain your septic system.
- Repair and maintain the pool and pool cage, or remove the cage and fill in the pool.
- Repair or demolish the fire damaged unit.
- Replace all broken and missing window glass.
- Secure all vacant units against unauthorized entry.
- Remove all debris, garbage and dead vegetation from the property and properly maintain the property.
- Remove the abandoned property from this area.
- You must secure an occupational license to conduct business as noted above.
- Properly screen your open storage, or remove the items from the property.

THIS IS NOTICE that a failure to accomplish corrective action and remedy the violations above within the time provided will result in referral of this matter to the City's Code Enforcement Board for a hearing. If, after the hearing by the Code Enforcement Board, violations are determined, such violations may be punishable by a fine not to exceed Two Hundred and Fifty Dollars (\$250.00) per day for a first violation and a fine not to exceed Five Hundred Dollars (\$500.00) per day for a repeat violation, in addition to and including, all costs incurred by the City as a result of such enforcement action.

It is the intent of this Notice to assist you in correcting the violations and avoid the necessity of a hearing before the Code Enforcement Board. If you have any specific questions regarding the violations or the action necessary to remedy or correct the violations, please contact me at Palmetto City Hall either in person or by telephone at (941) 723-4570 ext. 105.

Genesis Development 4009 11th Street Court West
Notice of Violation
Page 5 of 5

PLEASE GOVERN YOURSELF ACCORDINGLY.

DATED, this 5th day of October 2007.

CITY OF PALMETTO, FLORIDA

B. Strollo

Bill Strollo

Code Enforcement Director

NOTICE OF LIEN



DATE: March 28, 2008

RESPONDENT: Genesis Development Partners, LLC
and to all those claiming by, through or under same:

MAILING ADDRESS: 101 Riverfront Blvd.,
Suite 610
Bradenton, FL 34205

The CITY OF PALMETTO, County of Manatee, State of Florida, 516 8th Ave W, P.O. Box 1209, Palmetto, Florida, 34220-1209, claims a lien against any real or personal property owned by the Respondent, for violation of Palmetto Code of Ordinances, Chapter 7, Article XI, Minimum Maintenance Standards, Section 7-237(a)1, (a)2 & (a)3, Section 7-238(a)1; Section 7-240(b); Chapter 7, Article VII, Dangerous and Unsafe Buildings, Sec. 7-151, Sec. 7-153 (b) (1-7); Chapter 16, Article II, Nuisances, Section 16-26, Section 16-26(1), Section 16-26(2), Section 16-26(4) and Section 16-27(a) & (b); Chapter 19, Licenses and Business Regulations, Article II Section 19-26, Section 19-27(a), Section 19-28(a), Section 19-29, Section 19-35, Section 19-37 and Section 19-42; Appendix B, Zoning Code, Article III, Definitions, Section 3.2 and Article VI, Supplemental Regulations, Sec. 6.6. Screening of Open Storage, (a) & (b). CEB Case 07-15.

LIEN AMOUNT PLUS ANY OTHER EXPENSES ALLOWED BY LAW OR ORDINANCE ACCRUING AND BECOMING DUE: \$2,528.00

Deeds + Recording fees

VIOLATION STREET ADDRESS: 4009 11th St. Ct. W.
Palmetto, FL 34221

AND
4111 10th St. W.
Palmetto FL 34221

PROPERTY ID No. 29363.0020/9

I hereby certify that on this date a copy of this Notice of Lien and an attached certified copy of the Order Imposing Fine have been sent by ordinary U.S. Mail, postage prepaid, to the Owner(s) at the address listed above.

THE CITY OF PALMETTO

By: *James R. Freeman*
James R. Freeman, City Clerk

SEAL

Sworn to and subscribed before me this 28th day of March, 2008.

Diane Ponder
NOTARY PUBLIC

NOTARY PUBLIC-STATE OF FLORIDA
Diane Ponder
Commission #DD574860
Expires: JULY 17, 2010
BONDED THRU ATLANTIC BONDING CO., INC.

NOTICE OF LIEN



DATE:

April 28, 2008

RESPONDENT:

Genesis Development Partners, LLC
and to all those claiming by, through or
under same:

MAILING ADDRESS:

101 Riverfront Blvd.,
Suite 610
Bradenton, FL 34205

The CITY OF PALMETTO, County of Manatee, State of Florida, 516 8th Ave W, P.O. Box 1209, Palmetto, Florida, 34220-1209, claims a lien against any real or personal property owned by the Respondent, for violation of Palmetto Code of Ordinances, Chapter 7, Article XI, Minimum Maintenance Standards, Section 7-237(a)1, (a)2 & (a)3, Section 7-238(a)1; Section 7-240(b); Chapter 7, Article VII, Dangerous and Unsafe Buildings, Sec. 7-151, Sec. 7-153 (b) (1-7); Chapter 16, Article II, Nuisances, Section 16-26, Section 16-26(1), Section 16-26(2), Section 16-26(4) and Section 16-27(a) & (b); Chapter 19, Licenses and Business Regulations, Article II Section 19-26, Section 19-27(a), Section 19-28(a), Section 19-29, Section 19-35, Section 19-37 and Section 19-42; Appendix B, Zoning Code, Article III, Definitions, Section 3.2 and Article VI, Supplemental Regulations, Sec. 6.6. Screening of Open Storage, (a) & (b). CEB Case 07-15.

**LIEN AMOUNT PLUS ANY OTHER EXPENSES ALLOWED BY LAW OR
ORDINANCE ACCRUING AND BECOMING DUE: \$21,323.00**

VIOLATION STREET ADDRESS:

4009 11th St. Ct. W.
Palmetto, FL 34221

AND

4111 10th St. W.
Palmetto FL 34221

O.K. \$250/day

PROPERTY ID No.

29363.0020/9

I hereby certify that on this date a copy of this Notice of Lien and an attached certified copy of the Order Imposing Fine and Lien have been sent by ordinary U.S. Mail, postage prepaid, to the Owner(s) at the address listed above.

THE CITY OF PALMETTO

SEAL

By:

James R. Freeman, City Clerk

Sworn to and subscribed before me this 28th day of April, 2008.

Diane Ponder
NOTARY PUBLIC

NOTARY PUBLIC-STATE OF FLORIDA
Diane Ponder
Commission # DD574860
Expires: JULY 17, 2010
RECEIVED THRU ATLANTIC BONDING CO., INC.



516 8th Avenue West
P.O. Box 1209
Palmetto, Florida 34220-1209
Phone (941) 723-4570
Fax: (941) 723-4576
Suncom: 516-0829
E-mail: chgeneral@palmettofl.org
Web: www.palmettofl.org

**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.

Genesis Development Partners, LLC
101 Riverfront Blvd., Suite 610
Bradenton, FL 34205
Respondents:

I, THE CITY CLERK OF THE CITY OF PALMETTO,
FLORIDA, DO HEREBY CERTIFY THAT THE
ABOVE AND FOREGOING IS A TRUE AND
CORRECT COPY OF THE ORIGINAL THEREOF
ON FILE IN MY OFFICE WITNESS MY HAND AND
SEAL OF SAID CITY THIS 25 DAY OF April
A.D., 2008


CITY CLERK, CITY OF PALMETTO, FLORIDA

Case No. CEB 07-15

ORDER IMPOSING FINE AND LIEN

Violation Location: 4009 11th St. Ct. W. and 4111 10th St. W.
Palmetto, Florida 34221

On February 26, 2008, the Code Enforcement Board (CEB) of the City of Palmetto conducted a duly noticed Public Hearing in regard to the above Respondent. Following receipt of sworn testimony and other evidence, the Board makes the following findings:

1. The Respondent was found in violation of the City of Palmetto Code of Ordinances at a hearing held on January 22, 2008. A copy of the Board's Order is attached hereto and incorporated herein as Exhibit "A".

Genesis Development Partners, LLC
Order Imposing Fine and Lien
February 26, 2008
Page 2 of 3

2. The Order required the Respondent to comply with the Palmetto Code of Ordinances, as cited, by February 1, 2008. The Order was sent to the Respondent by Certified Return Receipt Requested U.S. Mail and Regular U.S. Mail on January 23, 2008.
3. The Respondent was notified in that Order that the Code Enforcement Board would hold a hearing on February 26, 2008, to determine whether the Respondent was in compliance with the Order, and if not, whether to impose a fine. A notice of the Code Enforcement Board hearing scheduled for February 26, 2008, was posted at Palmetto City Hall.
4. At the February 26, 2008, Hearing, the City of Palmetto Code Enforcement Director, Bill Strollo, presented proof of notice to the Respondent and testified that the Respondent had not complied with the Palmetto Code of Ordinances as ordered by the Administrative Order dated January 22, 2008.

CONCLUSIONS OF LAW

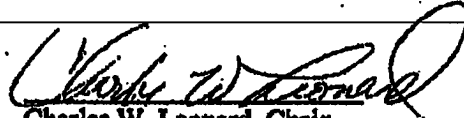
1. The hearing has been properly notified and convened. A quorum is present and voting.
2. Section 2-87 of the Code of Ordinances states that:
 - (2) In determining the amount of the fine, if any, the CEB shall consider the following factors:
 - a. The gravity of the violation;
 - b. Any actions taken by the violator to correct the violation;
 - c. Any previous violations committed by the violator.
3. The prior Administrative Order of this Board, dated January 22, 2008, was not complied with by the date set forth in the Administrative Order, and the violations of Respondent, or the conditions causing the violations, present a serious threat to the public health, safety and welfare.
4. The Board has considered the three factors cited above in arriving at its determination to impose a fine.

Genesis Development Partners, LLC
Order Imposing Fine and Lien
February 26, 2008
Page 3 of 3

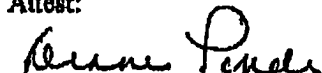
ORDER

Based on the foregoing, the Code Enforcement Board imposes a fine of \$250.00 per day commencing February 1, 2008, continuing until the violation is corrected, and directs notification be sent by the Chairman to the Mayor and City Commission advising of a serious threat to the public health, safety and welfare. If the Respondent has not complied with this Order by March 27, 2008, a certified copy of this Order shall be recorded in the Public Records of Manatee County, and any other county within the State of Florida where the Respondent has real or personal property, and it shall thereafter constitute a lien upon any real or personal property owned by the violator. Upon petition to the circuit court by the City, such Order may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but such Order shall not be deemed to be a court judgment except for enforcement purposes. A fine imposed pursuant to this Order shall continue with interest accruing until the violator comes into compliance, or until judgment is rendered in a suit to foreclose on a lien created herein, whichever occurs first.

Date: February 26, 2008


Charles W. Leonard, Chair
Code Enforcement Board

Attest:


~~James R. Freeman, City Clerk~~
DIANE PONDER
Deputy Clerk-Administration



516 8th Avenue West
P.O. Box 1209
Palmetto, Florida 34220-1209
Phone (941) 723-4570
Fax: (941) 723-4576
Suncom: 516-0829
E-mail: chgeneral@palmettofl.org
Web: www.palmettofl.org

**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.

Case No. CEB 07-15

Genesis Development Partners, LLC
101 Riverfront Blvd., Ste 610
Bradenton, Florida 34205
Respondent

Re Violation Location: 4009 11th St. Ct. W. and 4111 10th St. W.
Palmetto, Florida 34221

Legal Description: LOTS 10, 11, 12, 13 & A PORTION OF LOTS 14, 15, 7 & 8, TERRA-MANATEE HARBOUR (FB 8 PG 95) PRMCF, TOGETHER WITH THOSE LANDS LYING S OF THE SLY R/W LN OF THE "CUT-OFF RD" (ALSO KNOWN AS 11TH ST CT W) AS SHOWN ON SD PLAT OF TERRA-MANA HARBOR, ALL BEING MORE PARTICULARLY DESC AS FOLLOWS: BEGIN AT THE NWLY COR OF SD LOT 10, TERRA-MANA HARBOR; TH N 35 DEG 39 MIN 36 SEC E, ALNG THE ELY LN OF THE WLY 145 FT OF SD LOT 8 & 7, A DIST OF 100.07 FT (AS MEASURED) TO A PT ON THE N LN OF SD LOT 7; TH S 55 DEG 33 MIN 37 SEC E, ALNG SD N LN, A DIST OF 5.25 FT TO THE COMMON COR OF SD LOTS 7, 14, 15 & 6 OF SD TERRA-MANA HARBOR; TH N 17 DEG 41 MIN 44 SEC E, ALNG THE WLY LN OF SD LOT 15, A DIST OF 49.98 FT TO THE PT OF INTERSEC OF SD WLY LN & THE SWLY R/W LN OF COUNTY RD NO. 43 (FORMALY SR NO. 43 & A/K/A SNEAD ISLAND RD), SD PT BEING A PT ON A CURVE, CONCAVE TO THE SW, HAVING A RAD OF 1105.92 FT; TH SELY, ALNG THE ARC OF SD CURVE & SD R/W LN, THROUGH A C/A OF 60 DEG 40 MIN 41 SEC, A DIST OF 13.09 FT (CHORD = 13.09 FT; CHORD BEARING = S 31 DEG 48 MIN 21 SEC E) TO THE PT OF TANGENCY OF SD CURVE; TH S 31 DEG 28 MIN 01 SEC E, ALNG SD SWLY R/W LN, A DIST OF 212.73 FT TO THE PT OF INTERSEC OF SD SWLY R/W LN & THE ELY LN OF AFOREMENTIONED LOT 14; TH S 08 DEG 42 MIN 23 SEC E, ALNG SD ELY LN, A DIST OF 8.27 FT TO THE SELY COR OF SD LOT 14, ALSO BEING THE NELY COR OF AFOREMENTIONED LOT 13; TH S 15 DEG 58 MIN 02 SEC E, ALNG THE ELY LN OF SD LOT 13, A DIST OF 78.47 FT TO THE NELY COR OF AFOREMENTIONED LOT 12; TH

Parcel ID #: 29363.0020/9

Genesis Development Partners, LLC
Administrative Order
January 22, 2008
Page 2 of 3

ADMINISTRATIVE ORDER

THIS MATTER came before the City of Palmetto Code Enforcement Board for Public Hearing on January 22, 2008 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 Respondent's property has:

1. A septic tank behind the two story units at Pelican Perch is leaking raw sewage onto the ground.
2. An in-ground swimming pool at Terra Mana is full of stagnant water and is providing a breeding place for mosquitoes. In addition, many of the pool cage screens have been destroyed and no longer afford protection from insect infestation. In addition, due to the neglect of this pool cage, the filled pool lacks a child protective barrier and presents a serious child-safety issue.
3. One of the rental units at Pelican Perch has been destroyed by fire.
4. Two of the units at Terra Mana, Apartments 3 & 5, are missing window glass and one unit has not been secured against unauthorized entry.
5. The front window to Apartment 6 at Pelican Perch is broken. Apartments 3 & 5 at Terra Mana are missing window glass from the apartment windows.
6. The property contains trash, debris and dead vegetation.
7. You have been renting apartments at the locations known as (1) Pelican Perch, 4111 10th Street West and (2) Terra Mana, 4009 11th Street Court West without securing an occupational license from the City of Palmetto.
8. Exercise equipment is located on the second floor balcony in front of Apartment 8, Pelican Perch; coils of cable are stored in front of one of the Pelican Perch apartments; personal belongings are scattered between the two buildings of Terra Mana.

CONCLUSIONS OF LAW:

1. The Code Enforcement Board is properly convened. Notice has been given and all conditions precedent have been satisfied.
2. The Respondent has violated Palmetto Code of Ordinances, , Chapter 7, Article XI, Minimum Maintenance Standards, Section 7-237(a)1, (a)2 & (a)3, Section 7-238(a)1; Section 7-240(b); Chapter 7, Article VII, Dangerous and Unsafe Buildings, Sec. 7-151, Sec. 7-153 (b) (1-7); Chapter 16, Article II, Nuisances, Section 16-26, Section 16-26(1), Section 16-26(2), Section 16-26(4) and Section 16-27(a) & (b); Chapter 19, Licenses and Business Regulations, Article II Section 19-26, Section 19-27(a), Section 19-28(a), Section 19-29, Section 19-35, Section 19-37 and Section 19-42; Appendix B, Zoning Code, Article III, Definitions, Section 3.2 and Article VI, Supplemental Regulations, Sec. 6.6. Screening of Open Storage, (a) & (b).

Genesis Development Partners, LLC
Administrative Order
January 22, 2008
Page 3 of 3

ORDER

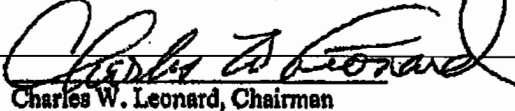
The Respondent, Genesis Development Partners, LLC, is found in violation of the Palmetto Code of Ordinances as noticed, and given ten (10) days, or until February 1, 2008, to comply with the Palmetto Code of Ordinances cited above. If the aforementioned action is not taken by February 1, 2008, a fine of up to \$250.00 per day may be imposed for each day the violation continues past the date and time specified herein. The Respondent is entitled to notice and an opportunity to be heard prior to a fine being assessed. A Public Hearing will be held on February 26, 2008, to determine if the violation has been corrected. Administrative costs incurred by the city in the prosecution of this case in the amount of \$915.00, plus any applicable recording fees, are hereby assessed. Additional/ongoing costs incurred by the City in the prosecution of this case may be assessed. Upon recording, such costs shall constitute a lien.

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 22nd day of January 2008.

CITY OF PALMETTO
CODE ENFORCEMENT BOARD


Charles W. Leonard, Chairman

Attest:


James R. Freeman, City Clerk

I hereby certify that a true copy of the foregoing Administrative Order has been furnished to the Respondent by Certified Mail/ Return Receipt Requested and by Regular Mail this 23rd day of January 2008.


Deanna Roberts, Clerk of the Board



516 8th Avenue West
P.O. Box 1209
Palmetto, Florida 34220-1209
Phone (941) 723-4570
Fax: (941) 723-4576
Suncom: 516-0829
E-mail: chgeneral@palmettofl.org
Web: www.palmettofl.org

March 19, 2008

Dennis D. Bradford, Registered Agent
Genesis Development Partners, LLC
101 Riverfront Boulevard, Suite 610
Bradenton, Florida 34205

Re: Parcel ID No. 2936300209
Abatement of Nuisances by City

Dear Mr. Bradford:

This letter will confirm the discussion we had at City Hall on February 28, 2008, regarding the condition of your properties located at 4009 11th Street Court West and 4111 11th Street West (both appear to be included in the above referenced Parcel ID Number). On January 22, 2008 the City's Code Enforcement Board found you to be in violation of several City Codes by virtue of conditions existing upon these properties. On February 26, 2008, the same Board imposed a fine of \$250 per day commencing on February 1, 2008 and continuing until all violations are corrected. By letter to the City Commission dated February 27, 2008, the Code Enforcement Board provided notice pursuant to section 162.09(1) that the condition of the properties posed a serious threat to the public health, safety and welfare, and requested that the City take immediate abatement action. Copies of the aforementioned documents are enclosed herewith for your review.

At our meeting on February 28, 2008 it was decided that the most serious threats to the public safety are the leaking septic tank, the pool and its damaged screen enclosure, and the remains of a structure that has been substantially damaged by fire. Given your assertion that you are unable to immediately abate these conditions, the City has agreed to take the following necessary action to protect the public: removal of the in ground pool and pool cage, removal of the septic tank, and demolition of the fire-damaged structure. Genesis Development Partners, LLC shall be responsible for all costs associated with the foregoing action. The City estimates the cost to be no more than \$3500. These costs shall constitute a

lien against the subject properties, which lien will be promptly recorded in the public records of Manatee County. Prior to the City or its representatives entering upon your property and commencing work, you must execute a Hold Harmless/Indemnity Agreement on a form to be provided by the City. By signing below, you also agree that neither you, nor your successors, assigns, or agents shall receive any form of development approval for the subject properties until all amounts owed to the City have been paid in full.

Upon your acknowledgement and agreement to the statements, terms and conditions set forth herein, the City agrees not to foreclose the previously described lien or take other legal action to collect the debt represented by the lien for a period of 18 months from the date of your signature below. Please indicate your acceptance by signing below and returning this original to my office. A duplicate is enclosed for your records.

Sincerely,

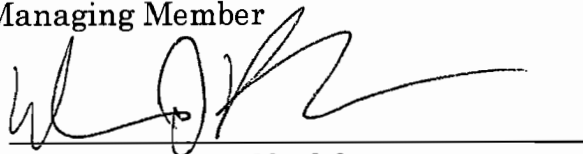


Chris Lukowiak
Director, Public Works

On behalf of Genesis Development Partners, LLC, and its managing member, Genesis Realty Partners, Inc., I agree to the terms and conditions stated herein.

GENESIS DEVELOPMENT
PARTNERS, LLC

By: GENESIS REALTY PARTNERS, INC.,
Managing Member

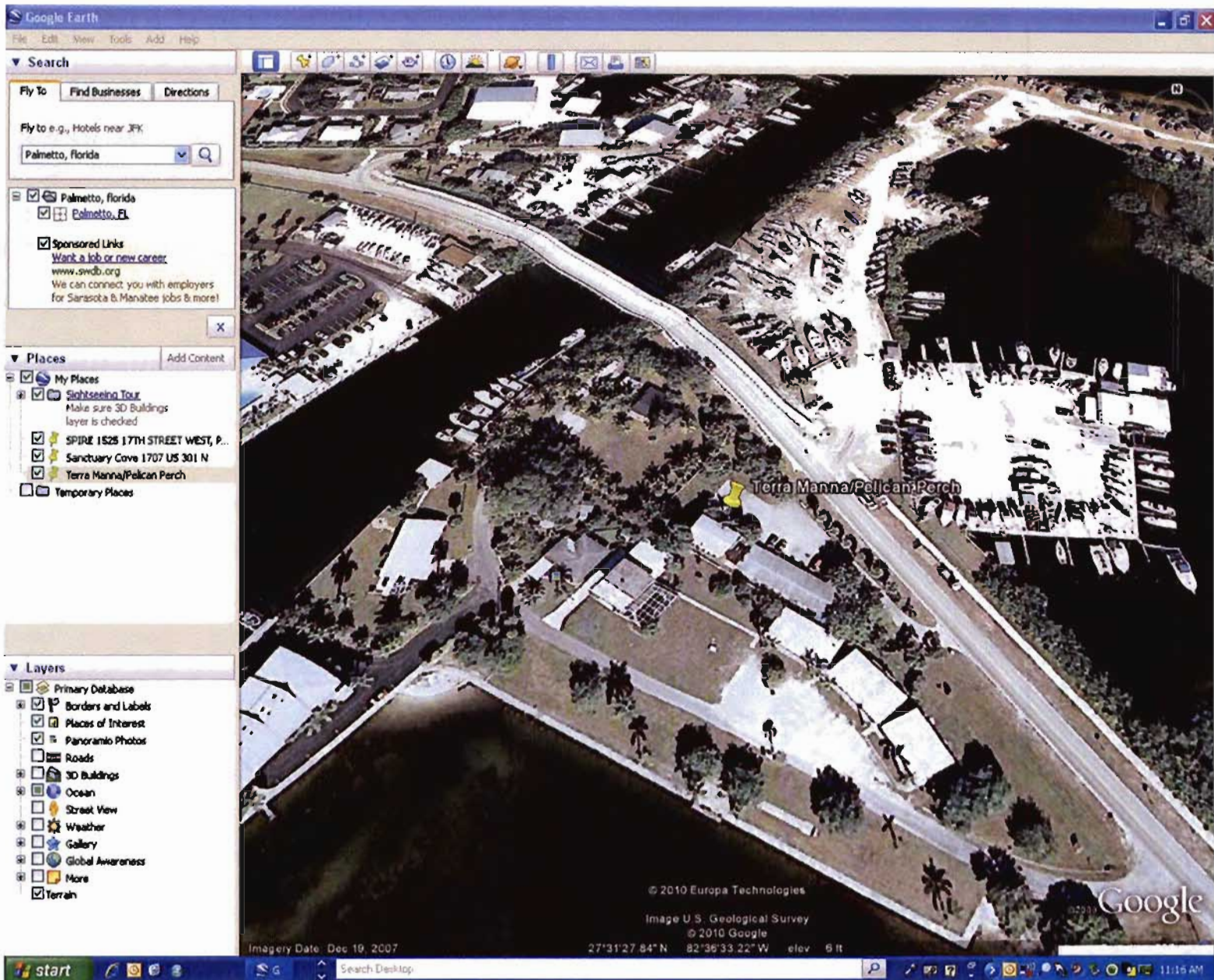


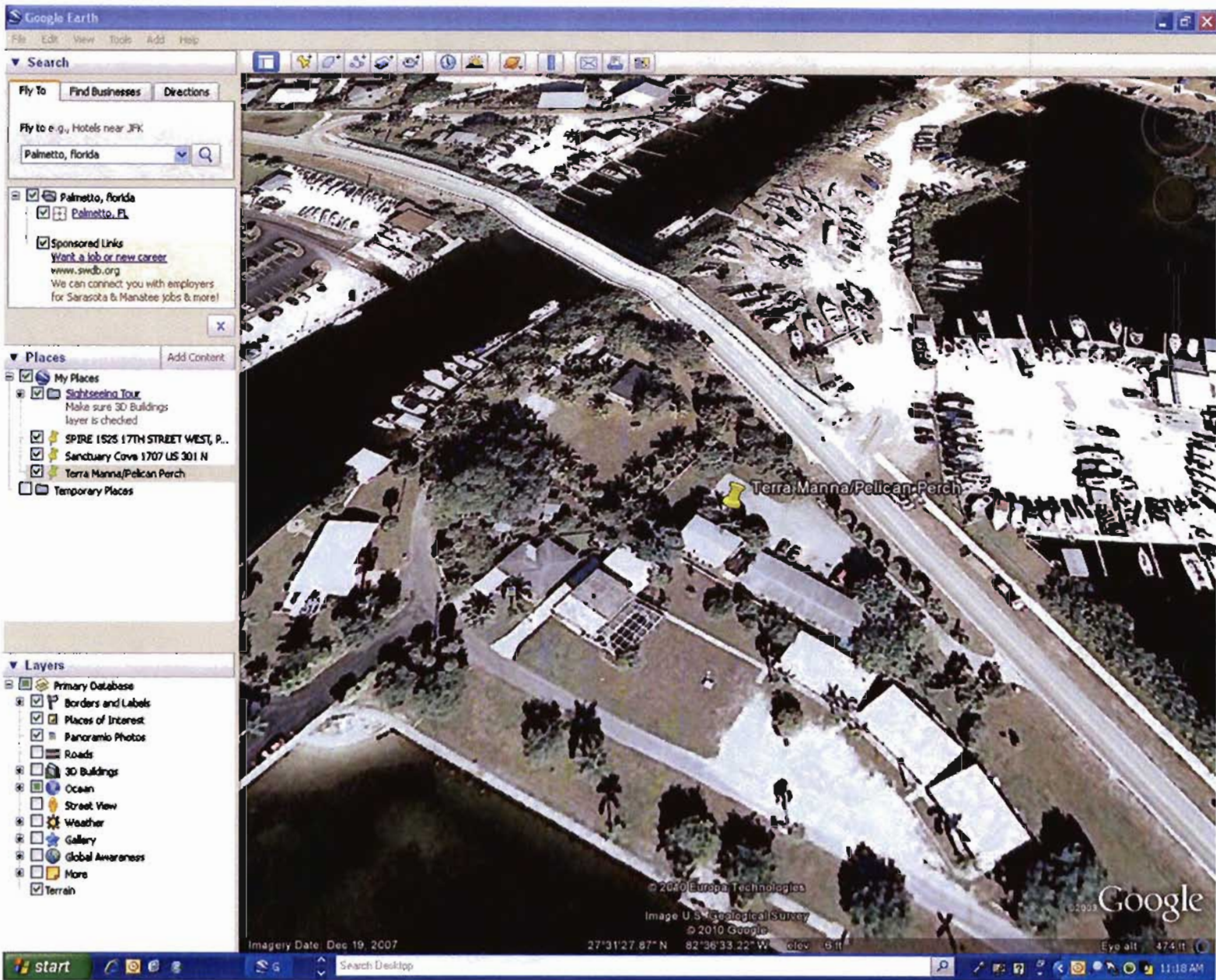
By: Dennis Bradford for
Michael A. Fernandez, President

Date: March 8, 2008

Enclosures

cc: Michele S. Hall, Esq.
William Strollo, Code Enforcement Officer







09/18/2007



09/18/2007



09/20/2007



09/20/2007



09/20/2007

09/20/2007





09/26/2007

09/26/2007



09/26/2007





04/18/2008



03/24/2008



03/24/2008

03/24/2008







03/24/2008



03/25/2008



03/25/2008



03/25/2008



03/25/2008





05/02/2008

05/02/2008

