

TAB 11



## City of Palmetto Agenda Item

Meeting Date

10/18/10

Presenter:

Jim Freeman/Bill Strollo

Department:

Code Enforcement

Title:

**Palmetto Funding, LLC request for Code Enforcement Lien reduction for property @ 98 US 41 North, Palmetto, Florida.**

**The property that was the subject of this code enforcement action, CEB08-04, is located at 98 US 41 North, Palmetto, Florida, Parcel ID # 25816.0036/9.**

**The Respondent at that time was the owner of record, Bella Tramonto I, LLC as identified through the Manatee County Property Appraiser's and Manatee County Tax Collector's web sites; all notices were forwarded to the address identified in the Manatee County sites and to the corporate address listed at that time through the State of Florida, Division of Corporations.**

**The property is an undeveloped parcel in the Riviera Dunes development. The property did not have a current site plan approved by the City of Palmetto and building permits had not been issued for this property; however, the Respondent opened a sales office on the parcel without a building permit in violation of City Ordinance 08-959 that amended Chapter 21, Mobile Homes, Section 21-8. Temporary uses. This Ordinance was approved and adopted by the City Commission of the City of Palmetto on February 18, 2008.**

**This property also abuts the improved property offered for sale as the Laguna condominiums, and the Respondent's property violated Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26 and 16-26(3) due to overgrowth. As noted previously, the Respondent moved a sales trailer to this property without the requisite building permits, and this violation is addressable by Notice of Nuisance under Chapter 21. Under Chapter 16, the presence of this manufactured home violates Section 16-26(12), any activity or condition that is declared elsewhere in this Code of Ordinances or other applicable law to be a nuisance.**

A letter from then Public Works Director Chris Lukowiak was forwarded to Bella Tramonto I, LLC, on June 5, 2007; it detailed violations of City code and directed the owners to contact Public Works within 24 hours to address the violations. A copy of this letter was forwarded to the mortgage holder, Palmetto Funding, LLC. Overgrowth and lot maintenance issues were raised by C&S Condominium Management Services for the Homes of Riviera Dunes and the Riviera Dunes Master Association on March 17, 2008.

On March 20, 2008 a Notice of Violation was issued by Code Enforcement for the overgrowth and the placement of the manufactured home on the lot without a permit. An initial Code Enforcement Board Hearing on these matters, case number CEB 08-04, was held on April 29, 2008. The Respondent was found in violation of City ordinances and directed to bring the property into compliance by May 9, 2008; administrative costs totaling \$275.00 were assessed, and a second public hearing on the case was scheduled for May 27, 2008. On April 29, 2008 Palmetto Funding, LLC initiated foreclosure proceedings against Bella Tramonto I, LLC in the Manatee County Court, case number 2008-CA-003880; the Lis Pendens was recorded on that date.

Bella Tramonto I, LLC failed to meet the date certain established by the City of Palmetto Code Enforcement Board, and at the second hearing on CEB 08-04 on May 27, 2008, the Respondent was fined \$250.00 per day commencing May 9, 2008 and continuing until the property was brought into compliance. The City Code Enforcement Lien reflecting the fines and administrative costs was recorded with the Manatee County Clerk of the Court on July 8, 2008. This lien was filed against any real or personal property owned by the Respondent, Bella Tramonto I, LLC. A lien was also filed in Flagler County on July 30, 2008.

Due to the continuing violations, a Notice of Sanitary Nuisance was issued against Bella Tramonto I, LLC on June 25, 2008, to facilitate City abatement of the violations. On July 11, 2008 Attorney Harry W. Haskins representing Bella Tremonto I, LLC requested thirty days to remediate the violations. The property was brought into compliance effective October 17, 2008.

A certificate of sale for this property was issued on August 29, 2008 by the Manatee County Court on the foreclosure case initiated by Palmetto Funding, LLC. Title of the property was recorded in favor of Palmetto Funding, LLC on September 9, 2008. Overgrowth and debris issues have been addressed with Palmetto Funding, LLC on the following occasions - Letter dated October 16, 2009; Notice of Violation issued November 19, 2009 (brought into compliance December 11, 2009); overgrowth letter dated May 13, 2010 (refer to Comcate case details CE10-198); overgrowth letter dated September 3, 2010 & Notice of

Violation dated September 15, 2010 (refer to Comcate case details CE10-552). All of these issues were resolved by the current owners, Palmetto Funding, LLC.

The current code enforcement lien totals \$48,600.43. Palmetto Funding, LLC has offered \$5,000.00 to settle this case.

**Budgeted Amount:** \$0.00 **Budget Page No(s):**  **Available Amount:** \$0.00 **Expenditure Amount:** \$0.00

**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:**

**Attachments:** Letters, Notices of Violation, Administrative Order, Order Imposing Fine & Lien, Foreclosure Documents, Code Enforcement Lien, Pictures.

**PALMETTO FUNDING, LLC**

801 North 500 West, Suite 200 • Bountiful, UT 84010 • (801) 397-3300

September 9, 2010

The City of Palmetto  
c/o Kirk Pinkerton PA  
Attn: Bradley Hogreve  
PO Box 3798  
Sarasota, FL 34230

**RE: Circuit Court Case #08-CA-3880, Manatee County, FL**


Dear City of Palmetto:

We received the notice of this case via the letter dated February 11, 2010 from Bradley Hogreve. Prior to this date, we were unaware of the lien that the City of Palmetto Funding had filed. Palmetto Funding, LLC received the real property as a result of a Foreclosure and was unaware of the violation until the February letter was received in our office. Also, the Respondent name and mailing address on the Notice of Lien dated July 2, 2008 is to the old property owner, therefore, we did not receive this notice.

However, we do realize the gravity of the notice and the importance of keeping the property free from weeds, rubbish and debris. Since we have owned the property, we have hired a third party to take care of the property and perform monthly maintenance on it. They continue to perform this weekly/monthly maintenance on the property.

Palmetto Funding, LLC is in the business of making loans, not maintaining and developing land. Due to the economy over the last few years, Palmetto Funding has suffered serious cash flow issues due to the ownership of this property. For this reason, and also due to the fact that we were unaware of the Notice of Lien, and the fact that we have cleaned the property and performed the needed maintenance, please accept this letter as a settlement of the Notice of Lien Circuit Court Case # 08-CA-3880. Palmetto Funding would like to settle this case for the amount of \$5,000.00.

Sincerely,



Dave Sheffield

## **Background, Training and Qualifications of**

**William Strollo**

**City of Palmetto**

**Title:** Director, Code Enforcement.

**Time In Position:** Five years. (May 2005)

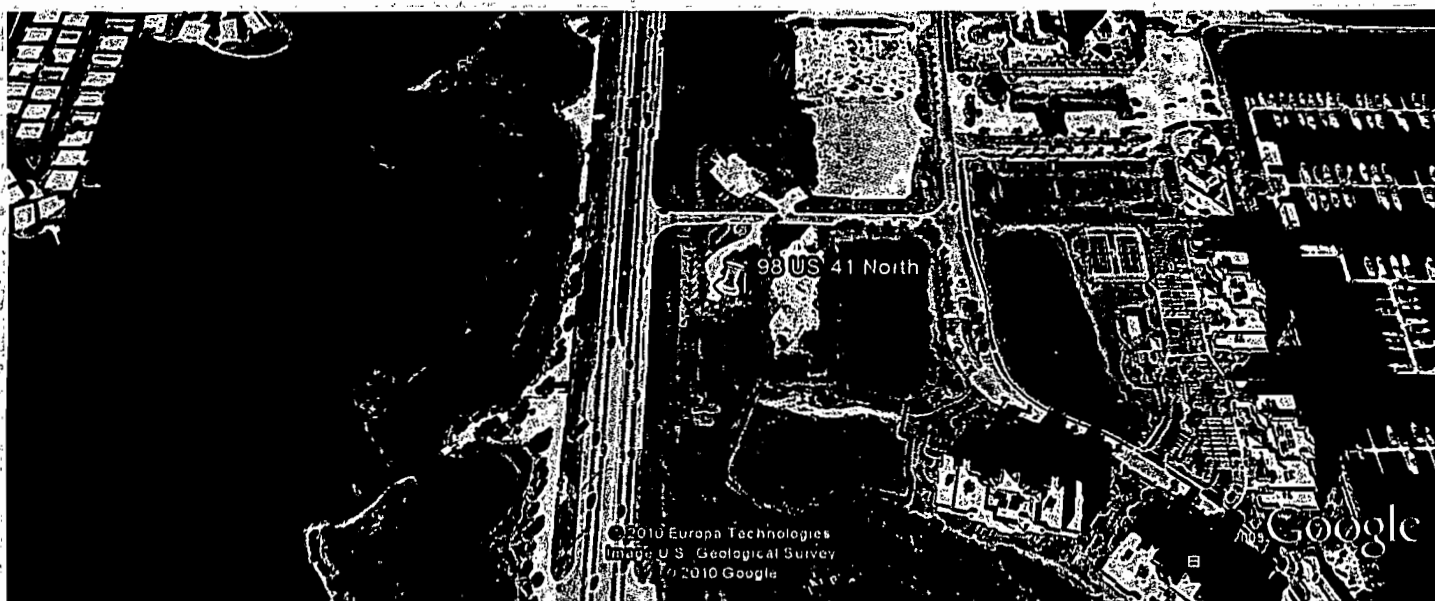
**College Education:** BA Degree in Sociology granted from Seton Hall University, South Orange, N.J.

**Florida Association of Code Enforcement:** Certified in Level I – Fundamentals of Code Enforcement, and Level II – Administrative Aspects of Code Enforcement.

**Other Certifications Held:** Certified Public Manager – State of New Jersey; Certified Supervisory Management – State of New Jersey; Certified Police Training Instructor – New Jersey Department of Corrections.

**Other Relevant Trainings:** Supervision Strategies for Managers, Supervisory Development, New Jersey State Police Instructors Course in Personal Defense & Physical Restraint, Parole Officers Basic Training Program, Case Decision Making, MBO, Interviewing & Interrogating Techniques, New Jersey Penal Code Instructors Course.

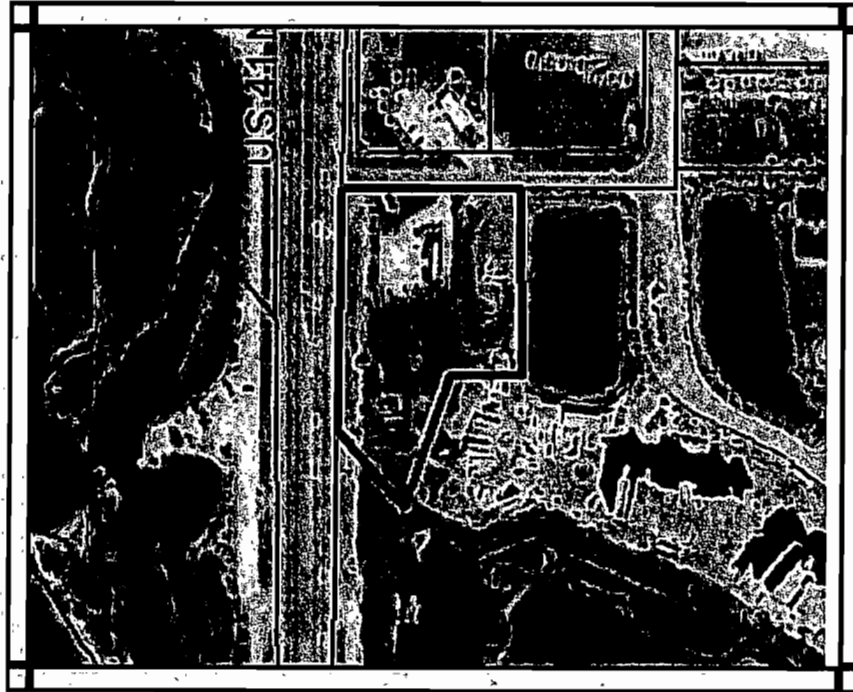
**Relevant Work Experience:** State of New Jersey Judiciary, August 1998 – October 2004, Assistant Chief Probation Officer, Supervising Probation Officer. New Jersey Department of Labor, January 1998 – August 1998, Interim Labor Specialist. Trachel, Inc., January 1997 – December 1997, Private Investigator. State of New Jersey, Division of Parole, October 1969 – October 1996, Supervising Parole Officer, District Parole Supervisor, Assistant District Parole Supervisor, Hearing Officer, Senior Parole Officer, Parole Officer.



98 US 41 North

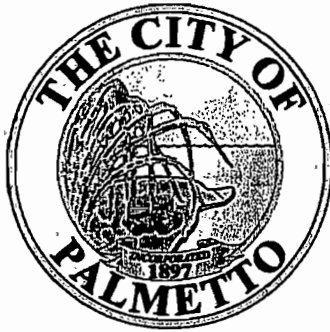
asWorld

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**MANATEE COUNTY  
PROPERTY APPRAISER**[Other Counties](#) | [Links](#) | [Manate](#)[Main](#) [Property Search](#)[Owner](#) [Address](#) [Account](#) [Advanced](#) [Map Search](#)[Profile](#)[Values](#)[Sales](#)[Residential](#)[Commercial](#)[Out Buildings](#)[Permits](#)[Land](#)[Agriculture](#)[Sketch](#)[Exemptions](#)[Full Legal](#)[Map](#)**PARID: 2581600369  
BELLA TRAMONTO I LLC****98 US 41 N**[Retu](#)[CSV  
Parc](#)[Pr](#)**Manatee County  
Last GIS Data Update: 18-Jan-2008**[Data Copyright Manatee County Property Appraiser's Office](#) [\[Disclaimer\]](#) [\[Privacy Policy\]](#) [Last Upda](#)

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# COPY



## Department of Public Works

600 17th Street West  
Palmetto, Florida 34221  
Phone (941) 723-4580 • FAX: (941) 723-4539  
Suncom 599-4580

June 5, 2007

Mr. William Lucia  
Bella Tramonto I, LLC  
214 Celebration Place, Suite 500  
Celebration, FL 34747

RE: Unlawful activities occurring at 98 North US 41 or 102 US 41, Palmetto, FL 34221

Dear Mr. Lucia:

The unlawful use of your real property located at 98 North US 41 or 102 US 41, Palmetto, Florida ("Property") has been brought to my attention by both City staff and members of the public. I have informed the occupants on more than one occasion that the current use of the Property violates numerous provisions of the City's Code of Ordinances, and they have taken no abatement action whatsoever. In addition, staff has related facts to me which indicate that certain activities may be in violation of state law and regulations.

The City intends to pursue all authorized enforcement measures to remedy current code violations, including taking immediate action where the illegal activity poses a threat to the public health, safety or welfare, and bringing other matters to the Code Enforcement Board. Fines imposed by the Code Enforcement Board and Costs associated with remedial action performed by the City will be recovered through imposition and foreclosure of a lien on the Property as provided for in the City Code of Ordinances and Florida Statutes. For your information and consideration, below is a brief description of the concerns noted by City staff:

- Placement and Occupancy of a modular building without a permit
- Unlawful connection of modular building to City utilities
- Operation of a sales office without proper zoning or approvals
- Operation of a sales office without an occupational license
- Marketing/sale of residential units with reference to a "plan" without obtaining any plan approvals from the City
- Presence of standing water creating a hazard and breeding ground for mosquitoes
- Accumulation of construction debris on vacant land
- Alteration of grade
- Discharge / pumping of storm water off-site



Mr. William Lucia  
June 5, 2007  
Page 2 of 2

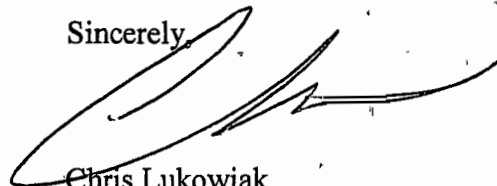
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**COPY**

Your failure to contact the Department of Public Works within 24 hours and provide a schedule pursuant to which you intend to abate illegalities on the Property will result in additional costs to you and the potential encumbrance of the Property.

PLEASE GOVERN YOURSELF ACCORDINGLY.

Sincerely,



Chris Lukowiak  
Director of Public Works

CL:TL:gj

CC: Mayor Lawrence E. Bustle, Jr.  
Michele S. Hall, City Attorney  
Palmetto Funding, LLC  
Riviera Dunes Retail Partners, LLC  
DBPR, Division of Real Estate  
Southwest Florida Water Management District

**ADDRESSES TO SEND COPIES:**

Palmetto Funding Group

Richard Bigalow (In-house Counsel)

801 North 500 West, Suite 200

Bountiful, UT 84010

Rinehart & Fetzer, P.C.

Mark E. Rinehart (Outside Counsel for Palmetto Funding, LLC)

1200 Chase Tower

50 West Broadway

Salt Lake City, UT 84101

## Carolyn Robertson

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**From:** Chris Lukowiak  
**Sent:** Wednesday, March 19, 2008 10:21 AM  
**To:** Carolyn Robertson  
**Subject:** FW: Riviera Dunes Master Association

Pleaseint attachment

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**From:** Julie Kollath [mailto:JKollath@CSCMSI.Com]  
**Sent:** Tuesday, March 18, 2008 3:28 PM  
**To:** Chris Lukowiak  
**Subject:** Riviera Dunes Master Association

Hi Chris,

I am the property manager for the Homes of Riviera Dunes as well as the Riviera Dunes Master Association.

Attached is a letter that I am sending to the listed owners of one of the parcels within the Riviera Dunes Master Association. This parcel is known as Bella Tramonto. The reason for forwarding this email to you is that I know you will be attending the Town Hall meeting being held Thursday night at the Homes of Riviera Dunes Clubhouse and I believe that this may be brought to your attention so I wanted to give you the heads up.

One other topic that may be brought up is the status of the partially built structure out on the island. I know that it was recently condemned and they may ask you where the City stands in regards to it.

If you have nay questions, please feel free to email or give me a call.  
Julie

## Julie Kollath, CAM

C&S Condominium Management Services, Inc., AAMC  
4301 32nd Street West Suite A20  
Bradenton, FL 34205  
[jkollath@cscmsi.com](mailto:jkollath@cscmsi.com)  
(941)758-9454 ext. 107 Fax (941)753-3062



# C&S CONDOMINIUM MANAGEMENT SERVICES, INC.



4301 32<sup>nd</sup> Street West  
Suite A-20  
Bradenton, Florida 34205  
941-758-9454 Fax: 941-753-3062

Sarasota Office  
4672 Fruitville Road  
Sarasota, Florida 34236  
941-373-3419 Fax: 941-377-6218

Parrish / Ellenton Office  
7216 U.S. Highway 301  
Ellenton, Florida 34222  
941-776-3263 Fax: 941-776-3266

Reply to: Bradenton Office

March 17, 2008

Bella Tramonto I LLC  
14 Creek Bluff Run  
Flagler Beach, Florida 32136

Re: Lifestyle Realty Group Sales Center

To whom it may concern,

I have been requested by the Board of Directors for the Riviera Dunes Master Association to contact you in regards to several issues within the parcel of Bella Tramonto located at 98 US Highway 41 North.

The Board is concerned with the condition of the vacant Lot located to the South side of the sales center for Lifestyle Realty Group. Previously a large area behind the Sales Center was dug up and a large hole was left. Recently a motorcycle has been placed in the grass area of the parking lot with a for sale sign attached to the front windshield as well as the Sales Center continues to have excessive non-permitted signs upon the Lot.

Therefore the Board request that the vacant Lot be maintained immediately, the large pit area be brought back its prior condition, the motorcycle be removed from the property immediately and the excessive use of signs be stopped.

For the Board of Directors,

Julie Kollath, CAM  
Senior Association Manager

E-mail: [jkollath@cscmsi.com](mailto:jkollath@cscmsi.com)  
Telephone Extension: 107

Cc: Chris Lukowiak, City of Palmetto  
George Fountain, City of Palmetto  
William Strollo, City of Palmetto  
Board of Directors

RDM 80317 Bella Tramonto

*\* George,  
What's the story?  
See me*



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](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

**CODE ENFORCEMENT**

**NOTICE OF VIOLATION**

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

CERTIFIED MAIL NO: 7006 0100 0006 2638 7167, 7006 0100 0006 2638 7174 AND  
REGULAR MAIL

Bella Tramonto I LLC (7167)  
14 Creek Bluff Run  
Flagler Beach, Florida 32136

Bella Tramonto I LLC (7174)  
130 Riviera Dunes Way, Unit 1003  
Palmetto, Florida 34221

**RE: City of Palmetto, Petitioner, v. Bella Tramonto I LLC**

**Address of Violation: 98 US 41 North, Palmetto, Florida 34221.**

**Legal Description:**

A TRACT OF LAND LYING IN SEC 24 TWN 34S, RNG 17E, AND DESC AS FOLLOWS:  
COM AT THE SW COR OF TRACT "H" OF THE PLAT OF THE NORTHSORE AT  
RIVIERA DUNES PHASE 1-A, ACCORDING TO THE MAP OR PLAT THEREOF, AS REC  
IN PLAT BK 35, P 19, OF THE PRMCF; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 98.69  
FT; TH S 26 DEG 33 MIN 54 SEC E, A DIST OF 30.66 FT TO THE PC OF A CURVE TO  
THE RIGHT HAVING A RAD OF 44.00 FT AND A C/A OF 26 DEG 33 MIN 54 SEC; TH  
SLY ALG THE ARC OF SD CURVE, AN ARC LENGTH OF 20.40 FT TO THE P.T. OF SD  
CURVE; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 232.00 FT TO THE PT OF  
CURVATURE OF A CURVE TO THE RIGHT HAVING A RAD OF 166.00 FT AND A C/A  
OF 90 DEG 01 MIN 28 SEC; TH SWLY ALG THE ARC OF SD CURVE, AN ARC LENGTH  
OF 260.82 FT TO THE P.T. OF SD CURVE; TH N 89 DEG 58 MIN 32 SEC W, A DIST OF  
549.45 FT; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 454.75 FT; TH S 89 DEG 46 MIN 56  
SEC W, A DIST OF 500.00 FT; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 30.00 FT; TH S  
89 DEG 46 MIN 56 SEC W, A DIST OF 257.73 FT TO THE POB; TH S 00 DEG 13 MIN 04  
SEC E, A DIST OF 293.60 FT; TH S 90 DEG 00 MIN 00 SEC W, A DIST OF 121.37 FT; TH  
S 20 DEG 11 MIN 38 SEC W, A DIST OF 222.78 FT; TH N 40 DEG 44 MIN 44 SEC W, A  
DIST OF 143.01 FT TO THE ELY R/W OF STATE RD 55 (US HIGHWAY 41 AND US  
HIGHWAY 301); TH N 00 DEG 11 MIN 35 SEC W, ALG SD ELY R/W, A DIST OF 393.23  
FT; TH N 89 DEG 46 MIN 56 SEC E, LEAVING SD ELY R/W, A DIST OF 291.83 FT TO  
THE POB; TOGETHER WITH A NON-EXCLUSIVE EASMT FOR INGRESS, EGRESS  
AND UTILITIES AS REC IN OR BK 1652/2365 & 1677/1381, PRMCF, BEING MORE  
PARTICULARLY DESC AS FOLLOWS: COM AT SW COR OF TRACT "H" OF PLAT OF  
NORTHSORE AT RIVIERA DUNES, PH 1-A; ACCORDING TO MAP OR PLAT AS REC  
IN PB 35, P 19, PRMCF; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 98.69 FT; TH S 26  
DEG 33 MIN 54 SEC E, A DIST OF 30.66 FT TO PT OF CURVATURE OF A CURVE TO

RIGHT, HAVING A RAD OF 44.00 FT AND A C/A OF 26 DEG 33 MIN 54 SEC; A CHORD OF 20.22 FT WHICH BEARS S 13 DEG 16 MIN 57 SEC E, FOR A DIST OF 20.40 FT; TH S FOR A DIST OF 232.00 FT TO START OF A TANGENT CURVE TO RIGHT TH ALG ARC OF SD CURVE, HAVING A RAD OF 166.00 FT, A C/A OF 90 DEG 01 MIN 28 SEC, A CHORD OF 234.81 FT WHICH BEARS S 45 DEG 00 MIN 44 SEC W, FOR A DIST OF 260.82 FT; TH N 89 DEG 58 MIN 32 SEC W, A DIST OF 549.45 FT; TH S 00 DEG 13 MIN 04 SEC E, FOR A DIST OF 454.75 FT; TH S 89 DEG 46 MIN 56 SEC W, FOR A DIST OF 500.00 FT TO POB; TH S 00 DEG 13 MIN 04 SEC E, FOR A DIST OF 30.00 FT; TH S 89 DEG 46 MIN 56 SEC W FOR A DIST OF 549.46 FT TO E R/W OF SR 55 (US HWY 41 & US HWY 301); TH ALG SD E R/W N 00 DEG 11 MIN 35 SEC W, FOR A DIST OF 60.00 FT; TH LEAVING SD E R/W N 89 DEG 46 MIN 56 SEC E, A DIST OF 549.53 FT; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 30.00 FT TO POB. (2164/0949) **PI#25816.0036/9**

Bella Tramonto I 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 16, Article II, Nuisances, Section 16-26, Section 16-26(3) & (12), and Section 16-27(a) & (b); and Chapter 21, Mobile Homes, Section 21-8(a-g).

- Sec. 16-26. Nuisances defined.
- Sec. 16-26(3). The existence of excessive accumulation or untended growth of weeds, undergrowth or other dead or living plant life upon any body of water, lot, tract or parcel of land, improved or unimproved within 100 feet of the boundary line of any improved property within the City.
- Sec. 16-26(12). Any activity or condition that is declared elsewhere in this Code of Ordinances or other applicable law to be a nuisance.
- Sec. 16-27(a) & (b). Nuisances are prohibited and may be enforced against any violator.
- Sec. 21-8(a-g). One manufactured building may be used in any zoning district as a temporary office or sales office incidental to construction of the premises upon which the mobile home is located. Any manufactured building or mobile home use allowed by this section shall be limited to the time period during which an active building permit is in place. This Ordinance shall be enforced as provided by Florida law, including but not limited to enforcement mechanisms provided for in the Florida Building Code, referral or citation to the Code Enforcement Board, issuance of a Notice of Nuisance as may be provided for by City ordinance, or the filing of an action in a court of competent jurisdiction to obtain civil remedies.

**DESCRIPTION OF VIOLATION:**

- This parcel is overgrown.
- A manufactured home is located on this undeveloped property functioning as a sales office. No building permit was granted for this use at this location.

**TO REMEDY THESE VIOLATIONS**, you must accomplish the following action within ten (10) days of receipt of this Notice. The corrective action necessary is as follows:

- You must mow and trim the overgrowth on this parcel.
- You must remove this manufactured home from this location and cease operation of the sales office until proper permitting has been secured from the City of Palmetto.


**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.

If you have any specific questions regarding the violations please contact me at Palmetto City Hall either in person or by telephone at (941) 723-4570 ext. 105.

**PLEASE GOVERN YOURSELF ACCORDINGLY.**

**DATED**, this 20<sup>th</sup> day of March 2008

**CITY OF PALMETTO, FLORIDA**



---

Bill Strollo  
Code Enforcement Director



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](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

## CITY OF PALMETTO CODE ENFORCEMENT BOARD

CITY OF PALMETTO  
A political subdivision of the  
State of Florida

Petitioner,

vs.

Bella Tramonto I LLC  
14 Creek Bluff Run  
Flagler Beach, Florida 32136

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 10 DAY OF April  
A.D., 20 08

  
CITY CLERK, CITY OF PALMETTO, FLORIDA

Case No. CEB 08-04

Bella Tramonto I LLC  
130 Riviera Dunes Way, Unit 1003  
Palmetto, Florida 34221

## NOTICE OF HEARING

Address of Violation:  
98 US 41 North  
Palmetto, Florida 34221

Pursuant to Chapter 162, Florida Statutes, and City of Palmetto Code of Ordinances, Chapter 2, you are hereby called upon to take notice that a Public Hearing will be conducted before the City of Palmetto Code Enforcement Board (CEB) on the 29th day of April, 2008 at 6:00 P.M. in the Commission Chambers at City Hall, which is located at 516 8th Avenue West, Palmetto, Florida. The purpose of the hearing is to determine whether the City of Palmetto Code of Ordinances is being violated as set forth in the Notice of Violation dated March 20, 2008, and previously provided to you by Certified Mail/Return Receipt Requested on March 20, 2008. A copy of the Notice of Violation is attached to this Notice of Hearing as Exhibit A. The CEB will receive testimony and evidence at said Public Hearing and shall make such findings of fact and conclusions of law as are supported by the testimony and



evidence pertaining to the matters alleged in the attached Notice of Violation. If you are found to be in violation, a fine may be assessed against you, as provided by law. The purpose of the hearing shall be to conduct proceedings regarding the attached Notice of Violation attached hereto as Exhibit A.

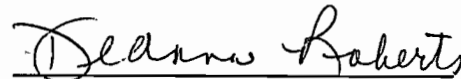
If you desire to appeal any decision of the CEB with respect to any matter considered at this Public Hearing, you will need a verbatim record of the proceedings and for that purpose, you need to insure that a verbatim record is made which includes the testimony, and evidence upon which the appeal is to be based. The hearing may be continued from time to time as deemed warranted and appropriate by the CEB. This case may be presented to the CEB even if the violation or repeat violation has been corrected prior to the hearing.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATE STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ASSISTANCE TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CODE ENFORCEMENT BOARD CLERK FOR ASSISTANCE AT LEAST THREE BUSINESS DAYS PRIOR TO THE MEETING AT (941) 723-4570.

**PLEASE GOVERN YOURSELF ACCORDINGLY.**

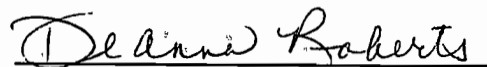
**DATED:** April 10, 2008.

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



Deanna Roberts  
Clerk of the Board

**I HEREBY CERTIFY** that a true and correct copy of the above and foregoing Notice of Hearing has been furnished by Certified Mail/Return Receipt Requested and by Regular Mail to the Respondent this 10<sup>th</sup> day of April, 2008.



Deanna Roberts  
Clerk of the Board

cc: Michele S. Hall, City Attorney  
David P. Persson, Code Enforcement Board Attorney

**POINT PAPER  
CODE ENFORCEMENT BOARD HEARINGS  
APRIL 29, 2008**

**CEB - 08-04**

**Bella Tramonto I LLC, 130 Riviera Dunes Way, Unit 1003, Palmetto, Florida; and  
14 Creek Bluff Run, Flagler Beach, Florida:**

The property that is the subject of this code enforcement action is located at 98 US 41 North, Palmetto, Florida, Parcel ID # 25816.0036/9.

The Respondent, Bella Tramonto I, LLC, is identified as the owner of this property through the Manatee County Property Appraiser's and Manatee County Tax Collector's web sites; the current corporate address was obtained through the State of Florida, Division of Corporations.

The property is an undeveloped parcel in the Riviera Dunes development. The property does not have a current site plan approved by the City of Palmetto and building permits have not been issued for this property; however, the Respondent has opened a sales office on the parcel without a building permit in violation of City Ordinance 08-959 that amended Chapter 21, Mobile Homes, Section 21-8. *Temporary uses*. This Ordinance was approved and adopted by the City Commission of the City of Palmetto on February 18, 2008 and subsequently signed by Mayor Bustle. Section 21-8, subsections (a) through (g) read as follows:

**Sec. 21-8. *Temporary uses*.**

- (a) One manufactured building may be used in any zoning district as a temporary office or sales office incidental to construction of the premises upon which the mobile home is located where the valuation on the face of the building permit which applies to the premises exceeds five hundred thousand dollars (\$500,000.00). One manufactured building may also be used as a temporary residence for a watchman guarding such a construction site during construction, but no such residential use shall be allowed until a water and sewer hookup has been obtained for the manufactured building. A mobile home may be utilized for the purposes set forth herein in those zoning districts that permit mobile homes. Any manufactured building or mobile home use allowed by this section shall be limited to the time period during which an active building permit is in place.
- (b) The building contractor of the project shall apply to the city's building department for a permit for mobile homes or manufactured buildings regulated by this section.
- (c) In no event shall the use continue for more than 180 days without the approval of the Building Official, who may grant extensions upon finding that the requirements of this ordinance are met.
- (d) This section shall also allow for contractor's construction of a

manufactured building where such building is to be utilized for the purposes set forth in this ordinance. A valid building permit shall serve as the contractor's permit for the construction of such manufactured building.

(e) Any and all mobile homes or manufactured buildings regulated by this section must be maintained in good condition and must comply with all other codes, ordinances and statutes applicable thereto.

(f) Any and all mobile homes or manufactured buildings regulated by this section shall be removed from the construction site no later than fifteen (15) days after completion of the project or the expiration of a valid building permit, whichever occurs first.

(g) This Ordinance shall be enforced as provided for by Florida law, including but not limited to enforcement mechanisms provided for in the Florida Building Code, referral or citation to the Code Enforcement Board, issuance of a Notice of Nuisance as may be provided for by City ordinance, or the filing of an action in a court of competent jurisdiction to obtain civil remedies. Any enumeration of enforcement mechanisms set forth herein is supplemental and not exclusive. The City shall be entitled to collect reasonable attorney's fees, costs of enforcement and other costs or fees reasonably related to obtaining compliance with this Code.

This property also abuts the improved property offered for sale as the Laguna condominiums, and the Respondent's property violates Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26. Every condition, substance or activity within the City that threatens or endangers the public health, safety or welfare, or adversely affects and impairs the economic welfare of adjacent property, is declared to be a nuisance. The Respondent's property is overgrown with the excessive accumulation and untended growth of weeds in violation of Section 16-26(3). As noted previously, the Respondent has moved a sales trailer to this property without the requisite building permits, and this violation is addressable by Notice of Nuisance under Chapter 21. Under Chapter 16, the presence of this manufactured home violates Section 16-26(12), any activity or condition that is declared elsewhere in this Code of Ordinances or other applicable law to be a nuisance.

#### Section 16-27. Prohibition and enforcement.

(a) Nuisances are hereby prohibited. It shall be unlawful for any person to cause such nuisance to come into existence anywhere within the city, or to permit the same to exist on property owned, leased, occupied or otherwise under the control of such person.

(b) 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.

Notices of Violation dated March 20, 2008 were forwarded to the Respondent, certified and regular mail, at the addresses provided on the Manatee County web sites and the State of Florida, Division of Corporations web site. Notices of Hearing were forwarded

certified and regular mail on April 10, 2008. (*Proofs of service for the Notices of Violation and Notices of Hearing are submitted for the record.*)

As of April 28, 2008, the manufactured home remained on this parcel, a building permit had not been issued for this site, and the property remained overgrown.

**Recommendation:**

It is recommended the Respondent be found in violation of City of Palmetto Code of Ordinances, and that Bella Tramonto be directed to bring this property into compliance within ten (10) days by removing the manufactured home, removing all advertising, terminating all real estate sales and business operations at this location, and clearing the property of overgrowth. It is further recommended that the City's costs for processing this case, plus any applicable recording fees, be assessed against the Respondent.

**Total costs to City as of April 28, 2008:**

Code Enforcement Officers	Six hours @ \$40.00/hour = \$ 240.00
Administration costs	One hour @ \$35.00/hour = <u>35.00</u>
<b>Total Costs</b>	<b>\$ 275.00</b>



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](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

May 1, 2008

Bella Tramonto I, LLC  
14 Creek Bluff Run  
Flagler Beach, Florida 32136

Re: CEB Case 08-04

Dear Sirs:

The enclosed Administrative Order reflects the Order handed down by the Code Enforcement Board at its April 29, 2008, meeting. The costs assessed, plus any applicable recording fees will constitute a lien on the property once the Order is recorded; however, if you pay within thirty (30) days, or by May 29, 2008, the City will not record the lien. Costs assessed total \$275.00

Payment can be sent to:

Ms. Deanna Roberts, Clerk of the Board  
Code Enforcement Board  
P.O. Box 1209  
Palmetto, Florida 34220-1209

Please contact Bill Strollo, Code Enforcement Director, at 723-4570 if you have any questions.

Sincerely,

Deanna Roberts  
Clerk of the Board

/dr

cc: 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  
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Web: [www.palmettofl.org](http://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.

Bella Tramonto I, LLC  
130 Riviera Dunes Way, Unit 1003  
Palmetto, Florida 34221  
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 1 DAY OF May  
A.D., 2008

*[Signature]*  
CITY CLERK, CITY OF PALMETTO, FLORIDA Case No. CEB 08-04

Bella Tramonto I, LLC  
14 Creek Bluff Run  
Flagler Beach, Florida 32136

**Re Violation Location:**

98 US 41 North  
Palmetto, Florida 34221

**Legal Description:**

A TRACT OF LAND LYING IN SEC 24 TWN 34S, RNG 17E, AND DESC AS FOLLOWS: COM AT THE SW COR OF TRACT "H" OF THE PLAT OF THE NORTHSORE AT RIVIERA DUNES PHASE 1-A, ACCORDING TO THE MAP OR PLAT THEREOF, AS REC IN PLAT BK 35, P 19, OF THE PRMCF; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 98.69 FT; TH S 26 DEG 33 MIN 54 SEC E, A DIST OF 30.66 FT TO THE PC OF A CURVE TO THE RIGHT HAVING A RAD OF 44.00 FT AND A C/A OF 26 DEG 33 MIN 54 SEC; TH SLY ALG THE ARC OF SD CURVE, AN ARC LENGTH OF 20.40 FT TO THE P.T. OF SD CURVE; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 232.00 FT TO THE PT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RAD OF 166.00 FT AND A C/A OF 90 DEG 01 MIN 28 SEC; TH SWLY ALG THE ARC OF SD CURVE, AN ARC LENGTH OF 260.82 FT TO THE P.T. OF SD CURVE; TH N 89 DEG 58 MIN 32 SEC W, A DIST OF 549.45 FT; TH S 00 DEG 13 MIN 04 SEC E; A DIST OF 454.75 FT; TH S 89 DEG 46 MIN 56 SEC W, A DIST OF 500.00 FT; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 30.00 FT; TH S 89 DEG 46 MIN 56 SEC W, A DIST OF 257.73 FT TO THE POB; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 293.60 FT; TH S 90 DEG 00 MIN 00 SEC W, A DIST OF 121.37 FT; TH S 20 DEG 11 MIN 38 SEC W, A DIST OF 222.78 FT; TH N 40 DEG 44 MIN 44 SEC W, A DIST OF 143.01 FT TO THE ELY R/W OF STATE RD 55 (US HIGHWAY 41 AND US HIGHWAY 301); TH N 00 DEG 11 MIN 35 SEC W, ALG SD ELY R/W, A DIST OF 393.23 FT; TH N 89 DEG 46 MIN 56 SEC E, LEAVING SD ELY R/W, A DIST OF 291.83 FT TO THE POB; TOGETHER WITH A NON-EXCLUSIVE EASMT FOR INGRESS, EGRESS AND UTILITIES AS REC IN OR BK 1652/2365 & 1677/1381, PRMCF, BEING MORE PARTICULARLY DESC AS FOLLOWS: COM AT SW COR OF TRACT "H" OF PLAT OF NORTHSORE AT RIVIERA DUNES, PH 1-A, ACCORDING TO MAP OR

PLAT AS REC IN PB 35, P 19, PRMCF; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 98.69 FT; TH S 26 DEG 33 MIN 54 SEC E, A DIST OF 30.66 FT TO PT OF CURVATURE OF A CURVE TO RIGHT, HAVING A RAD OF 44.00 FT AND A C/A OF 26 DEG 33 MIN 54 SEC; A CHORD OF 20.22 FT WHICH BEARS S 13 DEG 16 MIN 57 SEC E, FOR A DIST OF 20.40 FT; TH S FOR A DIST OF 232.00 FT TO START OF A TANGENT CURVE TO RIGHT TH ALG ARC OF SD CURVE, HAVING A RAD OF 166.00 FT, A C/A OF 90 DEG 01 MIN 28 SEC, A CHORD OF 234.81 FT WHICH BEARS S 45 DEG 00 MIN 44 SEC W, FOR A DIST OF 260.82 FT; TH N 89 DEG 58 MIN 32 SEC W, A DIST OF 549.45 FT; TH S 00 DEG 13 MIN 04 SEC E, FOR A DIST OF 454.75 FT; TH S 89 DEG 46 MIN 56 SEC W, FOR A DIST OF 500.00 FT TO POB; TH S 00 DEG 13 MIN 04 SEC E, FOR A DIST OF 30.00 FT; TH S 89 DEG 46 MIN 56 SEC W FOR A DIST OF 549.46 FT TO E R/W OF SR 55 (US HWY 41 & US HWY 301); TH ALG SD E R/W N 00 DEG 11 MIN 35 SEC W, FOR A DIST OF 60.00 FT; TH LEAVING SD E R/W N 89 DEG 46 MIN 56 SEC E, A DIST OF 549.53 FT; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 30.00 FT TO POB. (2164/0949)  
PI#25816.0036/9

Parcel ID #:

25816.0036/9

## **ADMINISTRATIVE ORDER**

**THIS MATTER** came before the City of Palmetto Code Enforcement Board for Public Hearing on April 29, 2008, at 6:00 p.m., at Palmetto City Hall, after due notice to the Respondent.

### **FINDINGS OF FACT:**

1. The Code Enforcement Board of the City of Palmetto finds as a matter of fact that the Respondents' property is overgrown, a manufactured home is located on this undeveloped property functioning as a sales office and no building permit was granted for this use at this location.

### **CONCLUSIONS OF LAW:**

1. The Code Enforcement Board is properly convened. Notice has been given and all conditions precedent have been satisfied.
2. The Respondents have violated Palmetto Code of Ordinances Chapter 16, Article II, Nuisances, Section 16-26, Section 16-26(3) & (12), and Section 16-27(a) & (b); and Chapter 21, Mobile Homes, Section 21-8(a-g).

## **ORDER**

The Respondent, Bella Tramonto I, LLC, is found in violation of the Palmetto Code of Ordinances as noticed, and given until May 9, 2008, to comply with the Palmetto Code of Ordinances cited above, by removing the manufactured home, removing all advertising, terminating all real estate sales and business operations at this location and clearing the property of overgrowth. If the aforementioned action is not taken by May 9, 2008, a fine of up to \$250.00 per day may be imposed for each day the violation

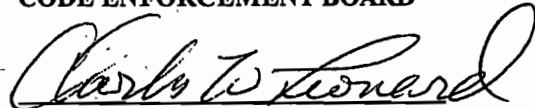
continues past the date and time specified herein. The Respondent is entitled to notice and an opportunity to be heard prior to a fine being assessed. **A Public Hearing will be held on May 27, 2008, to determine if the violation has been corrected. Administrative costs incurred by the city in the prosecution of this case in the amount of \$275.00, plus any applicable recording fees, are hereby assessed. Upon recording, such costs shall constitute a lien. Costs assessed pursuant to this Order shall continue with interest accruing.**

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.

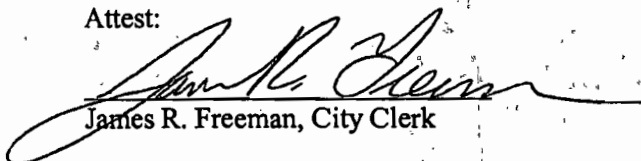
Any aggrieved party may appeal this Administrative Order to the Circuit Court in and for Manatee County. Such appeal shall not be a hearing *de novo*, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within thirty (30) days of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

Done and ordered this 29<sup>th</sup> day of April 2008.

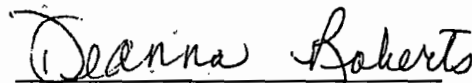
**CITY OF PALMETTO  
CODE ENFORCEMENT BOARD**

  
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 Respondents by Certified Mail/ Return Receipt Requested and by Regular Mail this 1st day of May 2008.

  
Deanna Roberts, Clerk of the Board



# 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](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

May 29, 2008

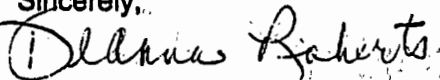
Bella Tramonto I, LLC  
14 Creek Bluff Run  
Flagler Beach, Florida 32136

Dear Sir:

The enclosed Order Imposing Fine reflects the Order handed down by the Code Enforcement Board at its May 27, 2008, meeting. The fine assessed, plus any applicable recording fees, will constitute a lien on the property once the Order is recorded; however, if you pay within thirty (30) days, or by June 26, 2008, the City will not record the lien.

Please contact Bill Strollo, Code Enforcement Director, at 723-4570 if you have any questions.

Sincerely,



Deanna Roberts  
Clerk of the Board

/dr

cc: William Strollo, Code Enforcement Director  
Michele S. Hall, Esq., City Attorney  
David Persson, Esq., Code Enforcement Board Attorney



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

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

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

**vs.**

**Case No. CEB 08-04**

**Bella Tramonoto I, LLC**  
**130 Riviera Dunes Way, Unit 1003**  
**Palmetto, Florida 34221**

**Bella Tramoto I, LLC**  
**14 Creek Bluff Run**  
**Flagler Beach, Florida 32136**  
**Respondents:**

**ORDER IMPOSING FINE AND LIEN**

**Violation Location:** **98 US 41 North**  
**Palmetto, Florida 34221**

On May 27, 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 April 29, 2008. A copy of the Board's Order is attached hereto and incorporated herein as Exhibit "A".

2. The Order required the Respondent to comply with the Palmetto Code of Ordinances, as cited, by May 9, 2008. The Order was sent to the Respondent by Certified Return Receipt Requested U.S. Mail and Regular U.S. Mail on May 1, 2008 and posted on the property and at City Hall beginning May 15, 2008.
3. The Respondent was notified in that Order that the Code Enforcement Board would hold a hearing on May 27, 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 May 27, 2008, was posted at Palmetto City Hall.
4. At the May 27, 2008, Hearing, the City of Palmetto Code Enforcement Director, Bill Strollo, testified that the Respondent had not complied with the Palmetto Code of Ordinances as ordered by the Administrative Order dated April 29, 2008.

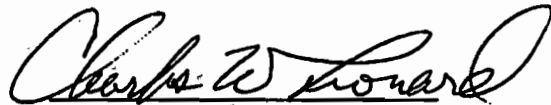
### **CONCLUSIONS OF LAW**

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 April 29, 2008, was not complied with by the date set forth in the Administrative Order.
4. The Board has considered the three factors cited above in arriving at its determination to impose a fine.

## ORDER

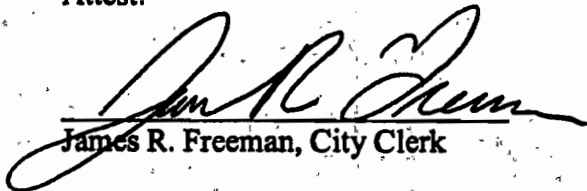
Based on the foregoing, the Code Enforcement Board imposes a fine of \$250.00 per day commencing May 9, 2008, and continuing until the violation is corrected. If the Respondent has not complied with this Order by June 26, 2008, a certified copy of this Order shall be recorded in the Public Records of 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: May 27, 2008



Charles W. Leonard, Chair  
Code Enforcement Board

Attest:

  
James R. Freeman, City Clerk

**COPY**

LAW OFFICE OF  
**HARRY W. HASKINS**

SUNTRUST BUILDING  
3400 SOUTH TAMiami TRAIL, SUITE 201  
SARASOTA, FLORIDA 34239

ADMITTED TO PRACTICE IN FLORIDA\* AND IOWA  
\*BOARD CERTIFIED CIVIL TRIAL LAWYER  
\*BOARD CERTIFIED BUSINESS LITIGATION LAWYER

TELEPHONE (941) 366-1388  
FACSIMILE (941) 953-4284  
haskinslaw@aol.com

Of Counsel To  
FORGES MARLIN KNOWLES & PROUTY, PA  
1205 MANATEE AVENUE WEST, BRADENTON, FL 34208

July 11, 2008

Chris Lukowiak  
Director of Public Works  
600 17<sup>th</sup> Street West  
Palmetto, Florida 34221

Re: Bella Tromonto I, LLC

Dear Mr. Lukowiak,

I represent Bella Tromonto I, LLC, and in response to your city's notices, my client would like to request thirty (30) days to remove the structure or otherwise request a hearing to respond to all notices.

Thank you for your immediate attention to this matter.

Sincerely,

  
Harry W. Haskins

HWH/pn  
enc



**COPY**  
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](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

## NOTICE OF SANITARY NUISANCE

Date: June 25, 2008

Name of Owner: Bella Tramonto I, LLC

Address of Owner: 130 Riviera Dunes Way, Unit 1003, Palmetto, Florida 34221 & 14 Creek Bluff Run, Flagler Beach, Florida 32136.

Our records indicate that you are the owner(s) of the following property in the City of Palmetto, Manatee County, Florida:

98 US 41 North, Palmetto, Florida

A TRACT OF LAND LYING IN SEC 24 TWN 34S, RNG 17E, AND DESC AS FOLLOWS: COM AT THE SW COR OF TRACT "H" OF THE PLAT OF THE NORTSHORE AT RIVIERA DUNES PHASE 1-A, ACCORDING TO THE MAP OR PLAT THEREOF, AS REC IN PLAT BK 35, P 19, OF THE PRMCF; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 98.69 FT; TH S 26 DEG 33 MIN 54 SEC E, A DIST OF 30.66 FT TO THE PC OF A CURVE TO THE RIGHT HAVING A RAD OF 44.00 FT AND A C/A OF 26 DEG 33 MIN 54 SEC; TH SLY ALG THE ARC OF SD CURVE, AN ARC LENGTH OF 20.40 FT TO THE P.T. OF SD CURVE; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 232.00 FT TO THE PT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RAD OF 166.00 FT AND A C/A OF 90 DEG 01 MIN 28 SEC; TH SWLY ALG THE ARC OF SD CURVE, AN ARC LENGTH OF 260.82 FT TO THE P.T. OF SD CURVE; TH N 89 DEG 58 MIN 32 SEC W, A DIST OF 549.45 FT; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 454.75 FT; TH S 89 DEG 46 MIN 56 SEC W, A DIST OF 500.00 FT; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 30.00 FT; TH S 89 DEG 46 MIN 56 SEC W, A DIST OF 257.73 FT TO THE POB; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 293.60 FT; TH S 90 DEG 00 MIN 00 SEC W, A DIST OF 121.37 FT; TH S 20 DEG 11 MIN 38 SEC W, A DIST OF 222.78 FT; TH N 40 DEG 44 MIN 44 SEC W, A DIST OF 143.01 FT TO THE ELY R/W OF STATE RD 55 (US HIGHWAY 41 AND US HIGHWAY 301); TH N 00 DEG 11 MIN 35 SEC W, ALG SD ELY R/W, A DIST OF 393.23 FT; TH N 89 DEG 46 MIN 56 SEC E, LEAVING SD ELY R/W, A DIST OF 291.83 FT TO THE POB; TOGETHER WITH A NON-EXCLUSIVE EASMT FOR INGRESS, EGRESS AND UTILITIES AS REC IN OR BK 1652/2365 & 1677/1381, PRMCF, BEING MORE PARTICULARLY DESC AS FOLLOWS: COM AT SW COR OF TRACT "H" OF PLAT OF NORTSHORE AT RIVIERA DUNES, PH 1-A, ACCORDING TO MAP OR PLAT AS REC IN PB 35, P 19, PRMCF; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 98.69 FT; TH S 26 DEG 33 MIN 54 SEC E, A DIST OF 30.66 FT TO PT OF CURVATURE OF A CURVE TO RIGHT, HAVING A RAD OF 44.00 FT AND A C/A OF 26 DEG 33 MIN 54 SEC; A CHORD OF 20.22 FT WHICH BEARS S 13 DEG 16 MIN 57 SEC E, FOR A DIST OF 20.40 FT; TH S FOR A DIST OF 232.00 FT TO START OF A TANGENT CURVE TO RIGHT TH ALG ARC OF SD CURVE, HAVING A RAD OF 166.00 FT, A C/A OF 90 DEG 01 MIN 28 SEC, A CHORD OF 234.81 FT WHICH BEARS S 45 DEG 00 MIN 44 SEC W, FOR A DIST OF 260.82 FT; TH N 89 DEG 58 MIN 32 SEC W, A DIST OF 549.45 FT; TH S 00 DEG 13 MIN 04 SEC E, FOR A DIST OF 454.75 FT;

Notice of Sanitary Nuisance  
Bella Tramonto I, LLC  
98 US 41 North  
Page 2 of 2

COPY

TH S 89 DEG 46 MIN 56 SEC W, FOR A DIST OF 500.00 FT TO POB; TH S 00 DEG 13 MIN 04 SEC E, FOR A DIST OF 30.00 FT; TH S 89 DEG 46 MIN 56 SEC W FOR A DIST OF 549.46 FT TO E R/W OF SR 55 (US HWY 41 & US HWY 301); TH ALG SD E R/W N 00 DEG 11 MIN 35 SEC W, FOR A DIST OF 60.00 FT; TH LEAVING SD E R/W N 89 DEG 46 MIN 56 SEC E, A DIST OF 549.53 FT; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 30.00 FT TO POB. (2164/0949) PI#25816.0036/9

An inspection of this property discloses, and I have found and determined that a sanitary nuisance exists thereon, so as to constitute a violation of the City of Palmetto Nuisance Law (City of Palmetto Code of Ordinances, section 16-26, et seq.) by virtue of the following condition or activity:

A manufactured home has been placed on this property without first securing the requisite building permits. The securing of this structure and its ability to withstand wind storm damage has not been assessed by the Building Official due to the lack of permitting. Utility connections have not been inspected due to the lack of permitting. With the onset of hurricane season, this structure poses a health and safety hazard to the residents in this area and also to the traffic on US Highway 41. This manufactured home must be removed from this site.

You are hereby notified that you must remedy the above described condition so as to bring it into compliance with the City of Palmetto Code of Ordinances, section 16-29, within ten (10) days from the date hereof, or within such time as the Director of Public Works or his designee shall determine to be reasonable. Failure to remedy the sanitary nuisance or request a hearing within the specified time period will be deemed a waiver of your right to a hearing and the City will proceed to remedy this condition, taking continuing or periodic abatement action when appropriate. The cost of the work, including abatement and/or removal costs, noticing costs, and other expenses, will be imposed as a lien on the property if said costs are not paid within thirty (30) days after receipt of the billing by the City Clerk.

The City estimates the total cost of abatement and/or removal to be approximately \$3,000.00 but in no way represents or guarantees that actual costs will not exceed this amount.

City of Palmetto

By

Chris Lukowiak  
Director of Public Works  
600 17<sup>th</sup> Street West  
Palmetto, Florida 34221  
941-723-4580

Peri-FAX this  
Lukowiak

Dear Mr. Lukowiak,  
I request Bella Tramonto I, LLC and in response to the City's notices of, my client would request thirty (30) days to remove the structure  
JUL 11. 2008 - 4:43 PM AT HARRY HASKINS, ATTORNEY-AT-LAW  
P.O. NO. 9206

b.c.c.  
Tom  
S

H

immediate  
all notices including the  
Thank you for your attention to this request.

# BRADENTON HERALD

## CLASSIFIED ADVERTISING

Order:	C41837014	Pubs:	1.9	Rate:	LE
Phone:	9417234570	Class:	4995	Charges:	\$ 0.00
Account:	4089	Start Date:	07/07/2008	List Price:	\$ 139.61
Name:	CITY,	Stop Date:	07/07/2008	Payments:	\$ 0.00
Firm:	CITY PALMETTO	Insertions:	2	Balance:	\$ 139.61

### CITY OF PALMETTO NOTICE OF SANITARY NUISANCE

Date: June 25, 2008

Name of Owner: Bello  
Tiamonto I, LLC

Address of Owner 130  
Riviera Dunee Way,  
Unit 1003, Palmetto, FL  
34221 & 14 Creek Bluff  
Run, Flagler Beach, FL  
32136.

Our records indicate  
that you are the  
owner(s) of the follow-  
ing property in the City  
of Palmetto, Manatee  
County, Florida:

98 US 41 North, Pal-  
metto, FL, Twn 34S,  
Rng 7E, Sec 24; PID #  
25818.0036/8.

A manufactured home  
has been placed on  
this property without  
first securing the re-  
quisite building permits.  
The securing of this  
structure and its ability  
to withstand wind  
storm damage has not  
been assessed by the  
Building Official due to  
the lack of permitting.

Utility connections  
have not been in-  
spected due to the  
lack of permitting.

With the onset of hur-  
ricane season, this  
structure poses a  
health and safety haz-  
ard to the residents in  
this area and also to  
the traffic on US High-  
way 41. This manufac-  
tured home must be  
removed from this site.

You are hereby notified  
that you must remedy  
the above described  
condition so as to  
bring it into compli-  
ance with the City of  
Palmetto Code of Or-  
dinances, section 16-  
29, within ten (10) days  
from the date hereof,  
or within such time as  
the Director of Public  
Works or his designee  
shall determine to be  
reasonable. Failure to  
remedy the sanitary

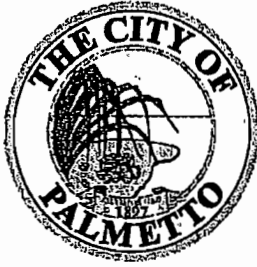
nuisance or request a  
hearing within the  
specified time period  
will be deemed a  
waiver of your right to  
a hearing and the City  
will proceed to remedy  
this condition, taking  
continuing or periodic  
abatement action  
when appropriate. The  
cost of the work, in-  
cluding abatement  
and/or removal costs,  
noticing costs, and  
other expenses, will be  
imposed as a lien on  
the property if said  
costs are not paid  
within 30 days after  
receipt of the billing.  
The City estimates the  
total cost of abate-  
ment and/or removal  
to be approximately  
\$3,000.00 but in no  
way represents or  
guarantees that actual  
costs will not exceed  
this amount.

Chris Lukowiak  
Director of Public  
Works

07/07/08



# NOTICE OF LIEN



**DATE:** July 2, 2008

**RESPONDENT:** Bella Tramonoto I, LLC  
and to all those claiming by, through or  
under same:

**MAILING ADDRESS:** 130 Riviera Dunes Way, unit 1003  
Palmetto, FL 34221  
And  
14 Creek Bluff Run  
Flagler Beach, FL 32136

The CITY OF PALMETTO, County of Manatee, State of Florida, 516 8<sup>th</sup> 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 16, Article II Nuisances, Section 16-26, Section 16-26(3) & (12), and Section 16-27(a) & (b); Chapter 21, Mobile Homes, Section 21-8(a-g).

**LIEN AMOUNT PLUS ANY OTHER EXPENSES ALLOWED BY LAW OR  
ORDINANCE ACCRUING AND BECOMING DUE: \$13622.00**

**VIOLATION STREET ADDRESS:** 98 US 41 North  
Palmetto, FL 34221

**PROPERTY ID No.** 25816.0036/9

**TOWNSHIP:** 34S **RANGE:** 17E **SECTION:** 24

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 and the Administrative Order 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 2<sup>nd</sup> day of July, 2008.

  
NOTARY PUBLIC

OR BOOK 02266 PAGES 0275 - 0284  
MANATEE COUNTY CLERK COURT  
10 PAGES(S)  
RECORDED; 7/8/2008 1:43:53 PM



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





Gail Wadsworth  
 Flagler County Clerk of Circuit  
 Courts  
 Kim C. Hammond Justice Center  
 Attn: Recording Dept  
 1769 E. Moody Blvd; Bldg 1  
 Bunnell, FL 32110  
 (386) 313-4360



**Print Date:**  
 7/30/2008 8:44:25 AM



**Transaction #: 657784**  
**Receipt #: 453842**  
**Cashier Date: 7/30/2008 8:44:26 AM (DB)**

Payee Information	Transaction Information	Payment Summary
( ) CITY OF PALMETTO PO BOX 1209 516 8TH AVENUE WEST PALMETTO, FL 34220	DateReceived: 07/30/2008 Court - Source Code: Civil/County Court Court - Q Code: Civil/County Court Return Code: Mail - US Mail Trans Type: Recording Agent Ref Num:	Total Fees \$54.00 Total Payments \$54.00

#### 1 Payments

 <b>CHECK</b> 000095036202	\$54.00
--	---------

#### 2 Recorded Items

 <b>(GOV) GOVERNMENT- RELATED</b>	<b>BK/PG: 1673/405 I:2008022604 Date:7/30/2008 8:44:21 AM</b> <b>From: To:</b> <b>MailBack:</b>
Recording @ 1st=\$5 Addt'l=\$4.00 ea.	3 \$13.00
Trust Fund @ 1st=\$1 Addt'l=\$0.50 ea.	3 \$2.00
Indexing @ 1st 4 Names Free, Addt'l=\$1 ea.	3 \$0.00
Recording Article V	3 \$12.00
 <b>(GOV) GOVERNMENT- RELATED</b>	<b>BK/PG: 1673/408 I:2008022605 Date:7/30/2008 8:44:22 AM</b> <b>From: To:</b> <b>MailBack:</b>
Recording @ 1st=\$5 Addt'l=\$4.00 ea.	3 \$13.00
Trust Fund @ 1st=\$1 Addt'l=\$0.50 ea.	3 \$2.00
Indexing @ 1st 4 Names Free, Addt'l=\$1 ea.	3 \$0.00
Recording Article V	3 \$12.00

#### 0 Search Items

#### 1 Miscellaneous Items

 <b>(AGENTTRANSMITTAL/MISC) AgentTransmittal/Misc</b>
--



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](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://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.

Bella Tramonto I, LLC  
130 Riviera Dunes Way  
Palmetto, Florida 34221

**CEB 08-04**

14 Creek Bluff Run  
Flagler Beach, Florida 32136

**Respondent.**

**REPORT OF COMPLIANCE**

This is notice that pursuant to the Administrative Order of the Code Enforcement Board of the City of Palmetto dated April 29, 2008, and the Order Imposing Fine And Lien dated May 27, 2008, the violations of the Palmetto City Code in this matter were corrected effective October 17, 2008.

\_\_\_\_\_  
Director, Code Enforcement

cc: (property owner)

## Case Information

<b>Case Number:</b>	41 2008 CA 003880	<b>File Date:</b>	4/29/2008
<b>Case Type:</b>	Mortgage Foreclosure	<b>Case Status:</b>	Closed
<b>Case Action Code:</b>	MORTGAGE FORECLOSURE	<b>Judge:</b>	EDWARD NICHOLAS
<b>Judgment Date:</b>	7/29/2008	<b>Judgment Amount:</b>	\$10,955,615.18
<b>Sale Date:</b>	8/29/2008	<b>Title Date:</b>	9/9/2008

## Parties

	Party Type	Name	Gender	Race	DOB
1	Plaintiff	PALMETTO FUNDING LLC ATTORNEY: ROBINER, MITCHELL C			
2	Defendant	BELLA TRAMONTO I LLC			
3	Defendant	LUCA JR, WILLIAM			
4	Defendant	DEY, DAVID P			
5	Defendant	RIVIERA DUNES RETAIL PARTNERS LLC			
6	Defendant	RIVIERA DUNES MASTER ASSOCIATION INC ATTORNEY: MEYER, DAVID C			
7	Defendant	HUNTINGTON NATIONAL BANK			

## Dockets































	Image	Date	Description
1		04/29/2008	ADDITIONAL DEFENDANTS CIRCUIT CIVIL Receipt: 31314136 Date: 04/29/2008
2		04/29/2008	CIVIL COVER SHEET
3		04/29/2008	CIRCUIT COURT FILING FEE ASSESSED Receipt: 31314136 Date: 04/29/2008
4		04/29/2008	SUMMONS ISSUED EACH DEFENDANT-PROCESS SERVER
5		04/29/2008	NOTICE OF LIS PENDENS-RECORDED
6		04/29/2008	COMPLAINT (ATTACHMENT)
7		04/29/2008	CIVIL ATTACHMENT TO COMPLAINT
8		05/23/2008	EXPARTE MOTION FOR ORDER TO SHOW CAUSE
9		05/23/2008	ORDER APPOINTING PROCESS SERVER
10		05/23/2008	NOTICE OF FILING
11		05/23/2008	ORDER TO SHOW CAUSE
12		05/23/2008	AMENDED VERIFIED COMPLAINT
13		05/23/2008	SUMMONS SERVED 5/8/2008 DAVID P DEY
14		05/23/2008	MOTION TO APPOINT PROCESS SERVER
15		05/23/2008	ANSWER OF DEFENDANT HOMES RIVIERA DUNES MASTER ASSOCIATION INC
16		05/23/2008	CIVIL ATTACHMENT, TO AMENDED COMPLAINT EXHIBITS A-K
17		05/23/2008	SUMMONS SERVED 5/2/2008 RIVIERA DUNES RETAIL PARTNERS LLC
18		05/23/2008	SUMMONS SERVED TO RIVERA DUNES MASTER ASSOCIATION INC. ON 05/02/08 @ 12:50 PM
19		05/30/2008	RESPONSIVE PLEADING
20		06/13/2008	NOTICE OF SERVICE
21		06/13/2008	NOTICE OF SERVICE
22		06/24/2008	ALIÁS SUMMONS ISSUED DAVID P DEY AND HANDED TO PROCESS SERVER
23		07/30/2008	AGREEMENT FOR ACCEPTANCE OF SERVICE
24		07/30/2008	AFFIDAVIT OF ATTORNEYS FEES
25		07/30/2008	AFFIDAVIT OF PALMETTO FUNDING LLC
26		07/30/2008	FINAL JUDGMENT OF MORTGAGE FORECLOSURE - RECORDED
27		08/05/2008	NOTICE FOR TRIAL (COPY TO JUDGES OFFICE)
28		08/11/2008	ORDER SETTING CASE MANAGEMENT CONFERENCE
29		08/13/2008	COPY NOTICE OF SALE ISSUED AND FAXED TO THE BRADENTON HERALD FOR PUBLICATION

	Image	Date	Description
30		08/13/2008	NOTICE OF SALE ISSUED
31		08/29/2008	FORECLOSURE SALE/CLERK'S FEE - CIRCUIT COURT Receipt: 31330267 Date: 08/29/2008
32		08/29/2008	CERTIFICATE OF SALE
33		08/29/2008	FORECLOSURE SALE BID SHEET
34		09/09/2008	CERTIFICATE OF DISBURSEMENTS
35		09/09/2008	CERTIFICATE OF TITLE - RECORDED
36		09/10/2008	COPY OF FINAL JUDGMENT OF FORECLOSURE RETURNED MAIL

## Disposition

	Status	Status Date	Disposition Code	Disp Date	Judge
1	Closed	04/29/2008	DISPOSED BY JUDGE	07/30/2008	NICHOLAS, EDWARD

## Events

	Date	Start Time	End Time	Event Type	Judge	Result
1	07/29/2008	11:45:00 AM	11:55:00 AM	MOTION HEARING	NICHOLAS, EDWARD	
Location: COURTROOM 5-E						

## Financial Summary

	Docket Application	Owed	Paid	Dismissed	Due
1	FILING FEE	\$2.00	\$2.00	\$0.00	\$0.00
2	FILING FEE	\$255.00	\$255.00	\$0.00	\$0.00
3	COURT COSTS	\$70.00	\$70.00	\$0.00	\$0.00
	<b>Total</b>	<b>\$327.00</b>	<b>\$327.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

## Receipts

	Date	Receipt	Received From	Payment Amount	Applied Amount	Change Returned
1	04/29/2008	31314136	AKERMAN SENTERFITT ESQ	\$257.00	\$257.00	\$0.00
2	08/29/2008	31330267	AKERMAN SENTERFITT	\$70.00	\$70.00	\$0.00

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
IN AND FOR MANATEE COUNTY, STATE OF FLORIDA  
CIVIL DIVISION**

**PALMETTO FUNDING, LLC**  
a Utah Limited Liability Company,

**Plaintiff,**

**v.**

**Case No. 2008-CA -003880**

**BELLA TRAMONTO I, LLC**  
a Florida Limited Liability Company,  
**WILLIAM LUCIA, Jr.**, an individual,  
**DAVID P. DEY**, an individual,  
**RIVIERA DUNES RETAIL PARTNERS, LLC**,  
a Florida Limited Liability Company, and  
**RIVIERA DUNES MASTER ASSOCIATION, INC.**,  
a Florida Not For Profit Corporation, **THE HUNTINGTON  
NATIONAL BANK**, a national banking association  
**Defendants.**

FILED FOR RECORD  
AS STAGE  
CLERK OF THE CIRCUIT COURT  
MANATEE CO FLORIDA  
2008 AP 29 PM 1:02  
A

**NOTICE OF LIS PENDENS**

**TO: BELLA TRAMONTO I, LLC., WILLIAM LUCIA, Jr.  
DAVID P. DEY, RIVIERA DUNES RETAIL PARTNERS, LLC,  
RIVIERA DUNES MASTER ASSOCIATION, INC.,  
THE HUNTINGTON NATIONAL BANK,  
AND ALL OTHERS WHOM IT MAY CONCERN:**

**YOU ARE NOTIFIED** of the institution of this action by the Plaintiff seeking  
foreclosure on the following described real property in Manatee County, Florida:

**See Legal Description Attached Hereto As Exhibit "A" and made a part hereof.**

**DATED ON April 28, 2008.**

  
**MITCHELL ROBINER**  
Florida Bar No. 504696  
**L. JOSEPH SHAHEEN, JR.**  
Florida Bar No. 51016  
**AKERMAN SENTERFITT**  
401 East Jackson Street, Suite 1700  
Tampa, Florida 33602  
Telephone: (813) 223-7333  
Facsimile: (813) 223-2837  
*Attorneys for Plaintiff*

**EXHIBIT "A"**  
**06-0722 BELLA TRAMONTO I, LLC**

**PARCEL 1**

A Tract of land lying in Section 24, Township 34 South, Range 17 East, Manatee County, Florida and being described as follows: Commence at the Southwest corner of Tract "H" of the Plat of the Northshore at Riviera Dunes, Phase 1-A, according to the map or plat thereof as recorded in Plat Book 35, Page 19 of the Public Records of Manatee County, Florida; thence S00°00'00"E, a distance of 98.69 feet; thence S26°33'54"E, a distance of 30.66 feet to the Point of curvature of a curve to the right, having a radius of 44.00 feet and a central angle of 26°33'54"; thence Southerly along the arc of said curve, an arc length of 20.40 feet to a point of tangency of said curve; thence S00°00'00"E, a distance of 232.00 feet to the Point of curvature of a curve to the right having a radius of 166.00 feet and a central angle of 90°01'28"; thence Southwesterly along the arc of said curve, an arc length of 260.82 feet to the Point of tangency of said curve; thence N89°58'32"W, a distance of 549.45 feet; thence S00°13'04"E, a distance of 454.75 feet; thence S89°46'56"W, a distance of 500.00 feet; thence S00°13'04"E, a distance of 30.00 feet; thence S89°46'56"W, a distance of 257.73 feet to the POINT OF BEGINNING; thence S00°13'04"E, a distance of 293.60 feet; thence S90°00'00"W, a distance of 121.37 feet; thence S20°11'38"W, a distance of 222.78 feet; thence N40°44'44"W, a distance of 143.01 feet to the Easterly Right of Way of State Road 55 (US Hwy 41 and US Hwy 301); thence N00°11'35"W, along the Easterly Right of Way a distance of 393.23 feet; thence N89°46'56"E, leaving said Easterly Right of Way, a distance of 291.83 feet to the Point of Beginning.

**PARCEL 2**

A Non-exclusive Easement for Ingress, Egress and Utilities as recorded in Official Records Book 1652, Page 2365 and in Official Records Book 1677, Page 1381, Public Records of Manatee County, Florida being more particularly described as follows:

Commence at the Southwest corner of Tract "H" of the plat of the Northshore at Riviera Dunes, Phase 1-A, according to the map or plat thereof as recorded in Plat Book 35, Page 19 of the Public Records of Manatee County, Florida; thence S00°00'00"E, a distance of 98.69 feet; thence S26°33'54"E, a distance of 30.66 feet to the Point of curvature of a curve to the right, having a radius of 44.00 feet and a central angle of 26°33'54"; a chord of 20.22 feet which bears S13°16'57"E, for a distance of 20.40 feet; thence South for a distance of 232.00 feet to the start of a tangent curve to the right thence along the arc of said curve to the right, having a radius of 166.00 feet, a central angle of 90°01'28", a chord of 234.81 feet which bears S45°00'44"W, for a distance of 260.82 feet; thence N89°58'32"W, a distance of 549.45 feet; thence S00°13'04"E, for a distance of 454.75 feet; thence S89°46'56"W, for a distance of 500.00 feet to the Point of Beginning; Thence S00°13'04"E, for a distance of 30.00 feet; thence S89°46'56"W for a distance of 549.56 feet to the East Right of Way of State Road 55 (US Hwy 41 and US Hwy 301); thence along said East Right of Way N00°11'35"W, for a distance of 60.00 feet; thence leaving said East Right of Way N89°46'56"E, a distance of 549.53 feet; thence S00°13'04"E, a distance of 30.00 feet to the Point of Beginning being and lying in Section 24, Township 34 South, Range 17 East, Manatee County, Florida.

**Parcel ID No.: 2581600369**

Case: 2008-CA-003699  
003699-15178  
DR: FINE



Principal due on the Note secured by the Mortgage foreclosed .....	\$6,943,000.00
Interest on the note and mortgage .....	\$3,986,488.00
Late charges .....	\$
Appraisals .....	\$
Environmental Report .....	\$
<b>SUBTOTAL .....</b>	<b>\$10,929,488.00</b>
Attorney fees and costs as attested to in Affidavit of Attorney's Fees .....	\$ 26,127.18
<b>TOTAL SUM .....</b>	<b>\$10,955,615.18</b>

4. The Total Sum referenced in Paragraph 3 shall bear interest from this date forward at 11% per annum or .0003014 per day as established pursuant to Section 55.03, *Fla. Stat.* (2007).

5. Plaintiff, whose address is 801 North 500 West, Suite 200, Bountiful, Utah 84010, holds a lien for the total sum specified in Paragraph 3 herein.

6. The lien of Plaintiff is superior in dignity to any right, title, interest, or claim of Defendants and all persons, corporations, or other entities claiming by, through, or under Defendants or any of them, and the Mortgaged Properties shall be sold free and clear of all claims of Defendants, with the exception of any assessments that are superior pursuant to Florida Statutes, Section 720.3085.

7. Plaintiff's lien encumbers the Mortgaged Properties located in Manatee County, Florida described on Schedule A attached hereto and incorporated herein by this reference.

8. If the total sum with interest at the rate described in Paragraph 3 and all costs accrued subsequent to this Judgment are not paid, the Clerk of the Court shall sell the Mortgaged

Properties at public sale on August 29, 2008, at 11:00 a.m./p.m. at the ~~Manatee County Courthouse, 1051 Manatee Avenue West, Bradenton, Florida 34206~~ Manatee County Judicial Center, Clerk/Cashier - Room 2700 - 2nd Floor  
1051 Manatee Ave W. Bradenton, FL 34206  
 bidder for cash, except as hereinbefore set forth, in accordance with section 45.031 of the Florida

Statutes. In the event that Plaintiff is not duly represented at the public sale, the sale shall be automatically canceled without further order of the Court and may be rescheduled promptly upon the *ex parte* request of Plaintiff.

9. Plaintiff shall advance all subsequently required costs of this action and shall be reimbursed for them by the Clerk if Plaintiff is not the purchaser of the Mortgaged Properties for sale. If Plaintiff is the purchaser, the Clerk shall credit Plaintiff's bid with the total sum with interest and costs accruing subsequent to this Judgment, or such part of it as is necessary to pay the bid in full.

10. If Plaintiff incurs additional expenses subsequent to the entry of this Final Judgment but prior to the sale date specified in Paragraph 8 herein, Plaintiff may, by written motion served on all parties, seek to amend this Final Judgment to include said additional expenses, but such filing and any subsequent amendment of the Final Judgment shall not delay the sale set forth above.

11. On filing the Certificate of Title, the Clerk shall distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of Plaintiff's costs; second, documentary stamps affixed to the Certificate; third, Plaintiff's attorneys' fees; fourth, the total sum due to Plaintiff, less the items paid, plus interest at the rate prescribed in Paragraph 3 from this date to the date of the sale; and by retaining any remaining amount pending further Order from this Court.


12. On filing of the Certificate of Title, Defendant and all persons claiming under or against Defendants since the filing of the Notice of Lis Pendens shall be foreclosed of all estate or claim in the Property and the purchaser at sale shall be let into possession of the Property. On

filing of the Certificate of Sale, Defendants' right of redemption as proscribed by Florida Statutes, Section 45.0315 shall be terminated.

13. The Court finds, based upon the affidavits presented and upon inquiry of counsel for Plaintiff, that Plaintiff's attorney's fees do not exceed three percent (3%) of the principal amount owed at the time the Complaint was filed and are, therefore, properly awarded pursuant to Florida Statute § 702.10. PLAINTIFF'S COUNSEL CERTIFIES THAT THE ATTORNEY FEE AWARDED DOES NOT EXCEED ITS CONTRACT FEE WITH PLAINTIFF. The Court finds that there are no reduction or enhancement factors for consideration by the Court pursuant to Florida Patient's Compensation Fund v. Rowe, 472 So. 2d 1145 (Fla. 1985).

14. The Court retains jurisdiction of this action to enter further orders that are proper, including, without limitation, writs of possession and deficiency judgments.

DONE AND ORDERED in Manatee County, Florida on July 29, 2008.

  
Circuit Court Judge

CERTIFICATE OF SERVICE  
I CERTIFY THAT A COPY HEREOF HAS  
BEEN FURNISHED TO:  
Name: all parties  
Address: listed

by (delivery) ☒ (mail) ☐ (fax) ☐ on  
Date: 8-11-08  
by: Vicky Alvarez-Sun

R. B. "CHIPS" SHORE Clerk of Circuit Court Manatee County FL. (5 of 5)

BK 2164 PG 979 Filed & Recorded 10/31/06 12:16:37 PM

R. B. "CHIPS" SHORE Clerk of Circuit Court Manatee County FL. (29 of 29)

## EXHIBIT "A"

06-0722 BELLA TRAMONTO I, LLC

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### PARCEL 2

A Non-exclusive Easement for Ingress, Egress and Utilities as recorded in Official Records Book 1652, Page 2365 and in Official Records Book 1677, Page 1381, Public Records of Manatee County, Florida being more particularly described as follows:

Commence at the Southwest corner of Tract "H" of the plat of the Northshore at Riviera Dunes, Phase I-A, according to the map or plat thereof as recorded in Plat Book 35, Page 19 of the Public Records of Manatee County, Florida; thence S00°00'00"E, a distance of 98.69 feet; thence S26°33'54"E, a distance of 30.66 feet to the Point of curvature of a curve to the right, having a radius of 44.00 feet and a central angle of 26°33'54"; a chord of 20.22 feet which bears S13°16'57"E, for a distance of 20.40 feet; thence South for a distance of 232.00 feet to the start of a tangent curve to the right thence along the arc of said curve to the right, having a radius of 166.00 feet, a central angle of 90°01'28", a chord of 234.81 feet which bears S45°00'44"W, for a distance of 260.82 feet; thence N89°58'32"W, a distance of 549.45 feet; thence S00°13'04"E, for a distance of 454.75 feet; thence S89°46'56"W, for a distance of 500.00 feet to the Point of Beginning; Thence S00°13'04"E, for a distance of 30.00 feet; thence S89°46'56"W for a distance of 549.56 feet to the East Right of Way of State Road 55 (US Hwy 41 and US Hwy 301); thence along said East Right of Way N00°11'35"W, for a distance of 60.00 feet; thence leaving said East Right of Way N89°46'56"E, a distance of 549.53 feet; thence S00°13'04"E, a distance of 30.00 feet to the Point of Beginning being and lying in Section 24, Township 34 South, Range 17 East, Manatee County, Florida.

Parcel ID No.: 2581600369

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

**PALMETTO FUNDING, LLC**  
a Utah Limited Liability Company,

Plaintiff,

v.

Case No. 08-CA-3880

**BELLA TRAMONTO I, LLC**  
a Florida Limited Liability Company,  
**WILLIAM LUCIA, Jr.**, an individual,  
**DAVID P. DEY**, an individual,  
**RIVIERA DUNES RETAIL PARTNERS, LLC**,  
a Florida Limited Liability Company, and  
**RIVIERA DUNES MASTER ASSOCIATION, INC.**,  
a Florida Not For Profit Corporation,

Defendants.

FILED FOR RECORD  
CLERK OF THE CIRCUIT COURT  
MANATEE COUNTY, FLORIDA  
2008 AU 13 PM 1:01

**NOTICE OF SALE**

**NOTICE IS HEREBY GIVEN** pursuant to a Final Judgment of Foreclosure dated July 29, 2008, (the "Judgment"), entered in Civil Case No. 08-CA-3880, the Circuit Court in and for Manatee County, Florida, wherein **PALMETTO FUNDING, LLC**, a Utah Limited Liability Company, is Plaintiff, and **BELLA TRAMONTO I, LLC**, a Florida Limited Liability Company, **WILLIAM LUCIA, Jr.**, an individual, **DAVID P. DEY**, an individual, **RIVIERA DUNES RETAIL PARTNERS, LLC**, a Florida Limited Liability Company, and **RIVIERA DUNES MASTER ASSOCIATION, INC.**, a Florida Not For Profit Corporation, are Defendants.

I will sell the Property at a public sale on August 29, 2008, at 11:00 a.m. to the "highest bidder," for cash, at the Manatee County Courthouse, ~~1115 Manatee Avenue West, Main Floor, Center Clerk/Cashier - Room 2700 - 2nd FL, 1051 Manatee Ave W~~ *Manatee County Judicial Center Clerk/Cashier - Room 2700 - 2nd FL, 1051 Manatee Ave W* ~~East Vestibule, Bradenton, FL 34206~~ *Bradenton, FL 34205*, in accordance with Section 45.031, Florida Statutes. The

"highest bidder" for purposes of this Notice of Sale, is defined as the party who bids the largest amount of money to purchase the Property and who completes the sale in a timely fashion, as hereinafter set out. The one who bids the largest amount of money to purchase the Property shall be permitted to complete the sale by delivering to the Clerk, the balance of such bid, over and above the deposit, by 4:00 p.m. on the day of sale.

Any person claiming an interest in the surplus from the sale, if any, other than the property owner as of the date of *lis pendens* must file a claim within sixty (60) days after the sale.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Court Operations Manager whose office is located at 1115 Manatee Avenue West, Bradenton, Florida 34206, and whose telephone number is (941) 749-1800, within two working days of your receipt of this notice of sale; if you are hearing or voice impaired, call

The following Property located in Manatee County, Florida:

See attached Exhibit "A"

DATED: August 13, 2008.

R.B. "CHIPS" SHORE  
Clerk of Circuit Court

"If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Manatee County Jury Office, P.O. Box 25400, Bradenton, Florida 34206, (941) 741-4062, with two (2) working days of your receipt of this [described notice]; if you are hearing impaired, call 711."

(COURT SEAL)



By:

Deputy Clerk

*Vicki Alway-Say*

Published in Bradenton Herald: on

---

(Dates)

Attorneys for Plaintiff:

**L. JOSEPH SHAHEEN, JR.**

Florida Bar No. 212385

**MITCHELL C. ROBINER**

Florida Bar No. 126705

Akerman Senterfitt

401 E. Jackson Street, Suite 1700

Tampa, FL 33602-5311

Telephone: (813) 223-7333

Facsimile: (813) 223-2837

**EXHIBIT "A"**

06-0722 BELLA TRAMONTO I, LLC

**PARCEL 1**

A Tract of land lying in Section 24, Township 34 South, Range 17 East, Manatee County, Florida and being described as follows: Commence at the Southwest corner of Tract "H" of the Plat of the Northshore at Riviera Dunes, Phase 1-A, according to the map or plat thereof as recorded in Plat Book 35, Page 19 of the Public Records of Manatee County, Florida; thence S00°00'00"E, a distance of 98.69 feet; thence S26°33'54"E, a distance of 30.66 feet to the Point of curvature of a curve to the right, having a radius of 44.00 feet and a central angle of 26°33'54"; thence Southerly along the arc of said curve, an arc length of 20.40 feet to a point of tangency of said curve; thence S00°00'00"E, a distance of 232.00 feet to the Point of curvature of a curve to the right having a radius of 166.00 feet and a central angle of 90°01'28"; thence Southwesterly along the arc of said curve, an arc length of 260.82 feet to the Point of tangency of said curve; thence N89°58'32"W, a distance of 549.45 feet; thence S00°13'04"E, a distance of 454.75 feet; thence S89°46'56"W, a distance of 500.00 feet; thence S00°13'04"E, a distance of 30.00 feet; thence S89°46'56"W, a distance of 257.73 feet to the POINT OF BEGINNING; thence S00°13'04"E, a distance of 293.60 feet; thence S90°00'00"W, a distance of 121.37 feet; thence S20°11'38"W, a distance of 222.78 feet; thence N40°44'44"W, a distance of 143.01 feet to the Easterly Right of Way of State Road 55 (US Hwy 41 and US Hwy 301); thence N00°11'35"W, along the Easterly Right of Way a distance of 393.23 feet; thence N89°46'56"E, leaving said Easterly Right of Way, a distance of 291.83 feet to the Point of Beginning.

**PARCEL 2**

A Non-exclusive Easement for Ingress, Egress and Utilities as recorded in Official Records Book 1652, Page 2365 and in Official Records Book 1677, Page 1381, Public Records of Manatee County, Florida being more particularly described as follows:

Commence at the Southwest corner of Tract "H" of the plat of the Northshore at Riviera Dunes, Phase 1-A, according to the map or plat thereof as recorded in Plat Book 35, Page 19 of the Public Records of Manatee County, Florida; thence S00°00'00"E, a distance of 98.69 feet; thence S26°33'54"E, a distance of 30.66 feet to the Point of curvature of a curve to the right, having a radius of 44.00 feet and a central angle of 26°33'54"; a chord of 20.22 feet which bears S13°16'57"E, for a distance of 20.40 feet; thence South for a distance of 232.00 feet to the start of a tangent curve to the right thence along the arc of said curve to the right, having a radius of 166.00 feet, a central angle of 90°01'28", a chord of 234.81 feet which bears S45°00'44"W, for a distance of 260.82 feet; thence N89°58'32"W, a distance of 549.45 feet; thence S00°13'04"E, for a distance of 454.75 feet; thence S89°46'56"W, for a distance of 500.00 feet to the Point of Beginning; Thence S00°13'04"E, for a distance of 30.00 feet; thence S89°46'56"W for a distance of 549.56 feet to the East Right of Way of State Road 55 (US Hwy 41 and US Hwy 301); thence along said East Right of Way N00°11'35"W, for a distance of 60.00 feet; thence leaving said East Right of Way N89°46'56"E, a distance of 549.53 feet; thence S00°13'04"E, a distance of 30.00 feet to the Point of Beginning being and lying in Section 24, Township 34 South, Range 17 East, Manatee County, Florida.

Parcel ID No.: 2581600369



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

**PALMETTO FUNDING, LLC**  
a Utah Limited Liability Company,

Plaintiff,

v.

Case No. 08-CA-3880

**BELLA TRAMONTO I, LLC**  
a Florida Limited Liability Company,  
**WILLIAM LUCIA, Jr.**, an individual,  
**DAVID P. DEY**, an individual,  
**RIVIERA DUNES RETAIL PARTNERS, LLC**,  
a Florida Limited Liability Company, and  
**RIVIERA DUNES MASTER ASSOCIATION, INC.**,  
a Florida Not For Profit Corporation,

Defendants.

FILED FOR RECORD  
R.B. SHORE  
2008 SEP -9 PM 3:55  
CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA

**CERTIFICATE OF DISBURSEMENT**

The undersigned Clerk of the Court certifies that he/she disbursed the proceeds received from the sale of the property as provided in the *Final Judgment of Foreclosure* entered herein to the persons and in the amounts as follows: \_\_\_\_\_

NO MONEY RECEIVED. NO MONEY DISBURSED.

Witness my hand and seal of this Court on September 9, 2008.



{Seal}

**RICHARD B. SHORE III**

Clerk of the Circuit Court

P.O. Box 25400, Bradenton, FL 34206

By: Vicky Alway-Saunders  
Deputy Clerk

Cc: Service List Attached

ANY PERSON CLAIMING AN INTEREST  
IN THE SURPLUS FROM THE SALE, IF  
ANY, OTHER THAN THE PROPERTY  
OWNER AS OF THE DATE OF THE LIS  
PENDENS MUST FILE A CLAIM  
WITHIN 60 DAYS AFTER THE SALE.

**Service List**

**Mitchell C. Robiner, Esquire**  
Akerman Senterfitt  
Suntrust Financial Center - Suite 1700  
401 East Jackson Street  
Tampa, Florida 33602  
*Attorneys for Plaintiff*

**Harry Haskins, Esquire**  
Suntrust Building  
3400 South Tamiami Trail, Suite 201  
Sarasota, Florida 34239  
*Attorneys for Bella Tramonto, LLC*

**David C. Myer, Esquire**  
22 South Links Avenue  
Suite 301  
Sarasota, Florida 34236  
*Attorneys for Rivera Dunes Master Association*

**John W. Chapman, Jr., Esquire**  
1819 Main Street, Suite 610  
Sarasota, Florida 34236  
*Attorneys for Rivera Dunes Retail Partners*

**David P. Dey**  
2270 Grisfin Road  
Lakeland, Florida 33810

**William Lucia, Jr.**  
14 Creek Bluff Run  
Flagler Beach, Florida 32136

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

**PALMETTO FUNDING, LLC**  
a Utah Limited Liability Company,

Plaintiff,

v.

Case No. 08-CA-3880

**BELLA TRAMONTO I, LLC**  
a Florida Limited Liability Company,  
**WILLIAM LUCIA, Jr.**, an individual,  
**DAVID P. DEY**, an individual,  
**RIVIERA DUNES RETAIL PARTNERS, LLC**,  
a Florida Limited Liability Company, and  
**RIVIERA DUNES MASTER ASSOCIATION, INC.**,  
a Florida Not For Profit Corporation,

Defendants.

FILED FOR RECORD  
R.B. SHORE  
2008 SEP -9 PM 3:55  
CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA

**CERTIFICATE OF TITLE**

The undersigned Clerk of the Court certifies that he/she executed and filed a Certificate of Sale in this action on the 29 day of August, 2008, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in Manatee County, Florida:

See attached Exhibit "A"  
was sold to Palmetto Funding, LLC a  
UTAH Limited Liability Company whose address is 801 North 500 West, Suite 200, Bountiful, UTAH 84010

Witness my hand and seal of this Court on September 9, 2008.



Cc: Service List Attached

**RICHARD B. SHORE III**  
Clerk of the Circuit Court,  
P.O. Box 25400, Bradenton, FL 34206

By: Vicky Alvarez Saenz  
Deputy Clerk

## EXHIBIT "A"

06-0722 BELLA TRAMONTO I, LLC

### PARCEL 1

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Parcel ID No.: 2581600369

**Service List**

*(Prepared Document)*

**Mitchell C. Robiner, Esquire**  
Akerman Senterfitt  
Suntrust Financial Center · Suite 1700  
401 East Jackson Street  
Tampa, Florida 33602  
*Attorneys for Plaintiff*

**Harry Haskins, Esquire**  
Suntrust Building  
3400 South Tamiami Trail, Suite 201  
Sarasota, Florida 34239  
*Attorneys for Bella Tramonto, LLC*

**David C. Myer, Esquire**  
22 South Links Avenue  
Suite 301  
Sarasota, Florida 34236  
*Attorneys for Rivera Dunes Master Association*

**John W. Chapman, Jr., Esquire**  
1819 Main Street, Suite 610  
Sarasota, Florida 34236  
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**David P. Dey**  
2270 Grisfin Road  
Lakeland, Florida 33810

**William Lucia, Jr.**  
14 Creek Bluff Run  
Flagler Beach, Florida 32136

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**MANATEE COUNTY  
PROPERTY APPRAISER**[Other Counties](#) | [Links](#) | [Manat](#)[Main](#) [Property Search](#)[Owner](#) [Address](#) [Account](#) [Advanced](#) [Map Search](#)[Profile](#)[Values](#)[Sales](#)[Residential](#)[Commercial](#)[Out Buildings](#)[Permits](#)[Land](#)[Agriculture](#)[Sketch](#)[Exemptions](#)[Full Legal](#)[Map](#)**PARID: 2581600369**  
**PALMETTO FUNDING LLC**

98 US 41 N

**Sales**

Account#	2581600369
Date	09-SEP-2008
Sale Amount	\$1
Vacant/Improved Indicator	Vacant
Qualification Code	01
Book	2273
Page	2892
Grantee Name	PALMETTO FUNDING LLC
Grantor Name	BELLA TRAMONTO I LLC
Deed Type	CT-CERTIFICATE OF TITLE

1 of 4

[Retu](#)[CSV](#)  
[Parc](#) Pr Pr

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**MANATEE COUNTY  
PROPERTY APPRAISER**[Other Counties](#) | [Links](#) | [Manate](#)[Main](#) [Property Search](#)[Owner](#) [Address](#) [Account](#) [Advanced](#) [Map Search](#)[Profile](#)[Values](#)[Sales](#)[Residential](#)[Commercial](#)[Out Buildings](#)[Permits](#)[Land](#)[Agriculture](#)[Sketch](#)[Exemptions](#)[Full Legal](#)[Map](#)**PARID: 2581600369  
PALMETTO FUNDING LLC****98 US 41 N****Sales**

Account#	2581600369
Date	27-OCT-2006
Sale Amount	\$6,200,000
Vacant/Improved Indicator	Vacant
Qualification Code	01
Book	2164
Page	0949
Grantee Name	BELLA TRAMONTO I LLC
Grantor Name	RIVIERA DUNES RETAIL PARTNERS LLC
Deed Type	SW-SPECIAL WARRANTY DEED

2 of 4

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CSV  
Para

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Pr

Data Copyright Manatee County Property Appraiser's Office [Disclaimer] [Privacy Policy] Last Upda

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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](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

October 16, 2009

Palmetto Funding, LLC  
801 N 500 W 200  
Bountiful, UT 84010

Palmetto Funding LLC:

Please be advised that there are pipes, a wood stairway, discarded signs and assorted debris at the site of the former sales trailer on your property at 98 US 41 North, Palmetto, Florida. Overgrowth has been controlled on the site to date, but the debris needs to be removed.

Please correct this problem within the next ten (10) days.

If you have any questions regarding the actions necessary to remedy this situation, please feel free to contact me at Palmetto City Hall either in person or by telephone at (941) 723-4570, extension 105.

Thank you for your continued cooperation.

Sincerely,

Bill Strollo  
Code Enforcement Director



10/29 NOV

October 16, 2009

Palmetto Funding, LLC  
801 N 500 W 200  
Bountiful, UT 84010

Palmetto Funding LLC:

Please be advised that there are pipes, a wood stairway, discarded signs and assorted debris at the site of the former sales trailer on your property at 98 US 41 North, Palmetto, Florida. Overgrowth has been controlled on the site to date, but the debris needs to be removed.

Please correct this problem within the next ten (10) days.

If you have any questions regarding the actions necessary to remedy this situation, please feel free to contact me at Palmetto City Hall either in person or by telephone at (941) 723-4570, extension 105.

Thank you for your continued cooperation.

Sincerely,

Bill Stollo  
Code Enforcement Director

10/29 - Debris still here. Area around former trailer site being maintained, but east + south part of lot becoming overgrown. Recheck 3 weeks of overgrowth, write note

11/19 - OVERGROWN + DEBRIS STILL ON SITE.



**CODE ENFORCEMENT**

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](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

**NOTICE OF VIOLATION**

CERTIFIED MAIL/RETURN RECEIPT REQUESTED  
CERTIFIED MAIL NO.7009 0080 0002 3404 2773 and Regular Mail

Palmetto Funding, LLC  
801 N 500 W 200  
Bountiful, UT

**RE: City of Palmetto, Petitioner, v. Palmetto Funding, LLC**  
**Address of Violation: 98 US 41 North, Palmetto, Florida 34221**

**Legal Description:** A TRACT OF LAND LYING IN SEC 24 TWN 34S, RNG 17E, AND DESC AS FOLLOWS: COM AT THE SW COR OF TRACT "H" OF THE PLAT OF THE NORTSHORE AT RIVIERA DUNES PHASE 1-A, ACCORDING TO THE MAP OR PLAT THEREOF, AS REC IN PLAT BK 35, P 19, OF THE PRMCF; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 98.69 FT; TH S 26 DEG 33 MIN 54 SEC E, A DIST OF 30.66 FT TO THE PC OF A CURVE TO THE RIGHT HAVING A RAD OF 44.00 FT AND A C/A OF 26 DEG 33 MIN 54 SEC; TH SLY ALG THE ARC OF SD CURVE, AN ARC LENGTH OF 20.40 FT TO THE P.T. OF SD CURVE; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 232.00 FT TO THE PT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RAD OF 166.00 FT AND A C/A OF 90 DEG 01 MIN 28 SEC; TH SWLY ALG THE ARC OF SD CURVE, AN ARC LENGTH OF 260.82 FT TO THE P.T. OF SD CURVE; TH N 89 DEG 58 MIN 32 SEC W, A DIST OF 549.45 FT; TH S 00 DEG 13 MIN 04 SEC E; A DIST OF 454.75 FT; TH S 89 DEG 46 MIN 56 SEC W, A DIST OF 500.00 FT; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 30.00 FT; TH S 89 DEG 46 MIN 56 SEC W, A DIST OF 257.73 FT TO THE POB; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 293.60 FT; TH S 90 DEG 00 MIN 00 SEC W, A DIST OF 121.37 FT; TH S 20 DEG 11 MIN 38 SEC W, A DIST OF 222.78 FT; TH N 40 DEG 44 MIN 44 SEC W, A DIST OF 143.01 FT TO THE ELY R/W OF STATE RD 55 (US HIGHWAY 41 AND US HIGHWAY 301); TH N 00 DEG 11 MIN 35 SEC W, ALG SD ELY R/W, A DIST OF 393.23 FT; TH N 89 DEG 46 MIN 56 SEC E, LEAVING SD ELY R/W, A DIST OF 291.83 FT TO THE POB; TOGETHER WITH A NON-EXCLUSIVE EASMT FOR INGRESS, EGRESS AND UTILITIES AS REC IN OR BK 1652/2365 & 1677/1381, PRMCF, BEING MORE PARTICULARLY DESC AS FOLLOWS: COM AT SW COR OF TRACT "H" OF PLAT OF NORTSHORE AT RIVIERA DUNES, PH 1-A, ACCORDING TO MAP OR PLAT AS REC IN PB 35, P 19, PRMCF; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 98.69 FT; TH S 26 DEG 33 MIN 54 SEC E, A DIST OF 30.66 FT TO PT OF CURVATURE OF A CURVE TO RIGHT, HAVING A RAD OF 44.00 FT AND A C/A OF 26 DEG 33 MIN 54 SEC; A CHORD OF 20.22 FT WHICH BEARS S 13 DEG 16 MIN 57 SEC E, FOR A DIST OF 20.40 FT; TH S FOR A DIST OF 232.00 FT TO START OF A TANGENT CURVE TO RIGHT TH ALG ARC OF SD CURVE, HAVING A RAD OF 166.00 FT, A C/A OF 90 DEG 01 MIN 28 SEC, A CHORD OF 234.81 FT WHICH BEARS S 45 DEG 00 MIN 44 SEC W, FOR A DIST OF 260.82 FT; TH N 89 DEG 58 MIN 32 SEC W, A DIST OF 549.45 FT; TH S 00 DEG 13 MIN 04 SEC E, FOR A DIST OF 454.75 FT; TH S 89 DEG 46 MIN 56 SEC W, FOR A DIST OF 500.00 FT TO POB; TH S 00 DEG 13 MIN 04 SEC E, FOR A DIST OF 30.00 FT; TH S 89 DEG 46 MIN 56 SEC W FOR A DIST OF 549.56 FT TO E R/W OF SR 55 (US HWY 41 & US HWY 301); TH ALG SD E R/W N 00 DEG 11 MIN 35 SEC W, FOR A DIST OF 60.00 FT; TH LEAVING SD E R/W N 89 DEG 46 MIN 56 SEC E, A DIST OF 549.53 FT; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 30.00 FT TO POB. (2164/0949)  
PI#25816.0036/9 Township 34S Range 17E Section 24

Palmetto Funding, LLC:

The purpose of this letter is to provide you with notice that based upon investigation of alleged violations of 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 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (2), & (3), and Section 16-27(a), (b), & (c):

- Sec. 16-26. Nuisances defined.
- Sec. 16-26 (2). The accumulation of trash, debris, rubbish, or garbage upon a property that is likely to adversely affect the economic welfare of adjacent property.
- Sec. 16-26(3). The existence of excessive accumulation or untended growth of weeds and undergrowth that is likely to affect the economic welfare of adjacent property.
- Sec. 16-27(a) & (b). Nuisances are prohibited and may be enforced against any violator.
- Sec. 16-27(c). This article shall be enforced as provided by Florida law.

**DESCRIPTION OF VIOLATION:**

- The above noted property contains garbage, debris and construction materials.
- The above noted property is overgrown.

**TO REMEDY THESE VIOLATIONS**, you must accomplish the following action within ten (10) days of receipt of this Notice. The corrective action necessary is as follows:

- You must dispose of all garbage, debris and construction materials.
- You must mow, trim, weed, and maintain the property.

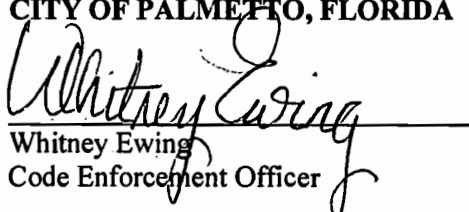
**THIS IS NOTICE** that a failure to accomplish corrective action and remedy the violations above within the time provided will result in referral of this matter to the City's Code Enforcement Board for a hearing. If, after the hearing by the Code Enforcement Board, violations are determined, such violations 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 please contact me at Palmetto City Hall either in person or by telephone at (941) 723-4570 ext. 124.

**PLEASE GOVERN YOURSELF ACCORDINGLY.**

**DATED** this 19<sup>th</sup> day of November 2009.

**CITY OF PALMETTO, FLORIDA**

  
Whitney Ewing  
Code Enforcement Officer

May 13, 2010

Palmetto Funding, LLC  
801 N 500 W 200  
Bountiful, UT 84010

Re: 98 US 41 North

To Whom It May Concern:

This notice is to inform you that your property located at 98 US 41 North, Palmetto, Florida, is overgrown and need of mowing and maintaining on a regular basis.

Please accomplish this within ten (10) days. If you have any questions, please call our office at 941-723-4570. Your cooperation is greatly appreciated.

Sincerely,

Whitney Ewing  
Code Enforcement Officer



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Welcome, Bill Strollo

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## CE Case Details

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CE Case Details

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### CE Case CE10-198

CE Case #: CE10-198

eFM Case #: N/A

Case assigned to: Strollo, Bill

Priority: MED

Location APN: 2581600369

98 US 41 North  
Palmetto, FL 34221

Vacant property to the south of 1st Street East, Riviera

Dunes. [map](#)

Property Type: Residential

WARDS: 3

CRA: TRUE

Custom Fields Foreclosure?: Yes

Vacant?: Yes

Status: Closed: Voluntary Compliance

Date Opened-Closed: 05/13/2010 - 06/07/2010

Follow Up Date

Follow Up Action Overgrown property.

Open Violations

[Quick Edit](#)

[Full Edit](#)

[Time Tracking](#)

[Clone Case](#)

### Violations

Date	Violation	Submitted By	Status	Disposition	Notes
05/13/2010	Overgrown Property	Strollo, Bill	Closed	Compliance	

### History

Date	Entered By	Action/Note/Activity
06/07/2010 11:05:23 AM	Strollo, Bill	Changed violation disposition to Compliance
06/07/2010 11:05:23 AM	Strollo, Bill	Status changed: Violation Overgrown Property Closed with disposition Compliance
05/13/2010 12:29:02 PM	Strollo, Bill	Added: Overgrown Property

### Status and Follow Up

Status	Follow Up Date	Follow Up Action
Closed: Voluntary Compliance		Overgrown property.

### History

Entry Date	Employee	Description
10/06/2010 10:57:58 AM	Strollo, Bill	Added 1 case hours for Bill Strollo on 2010-10-06.
06/07/2010 11:06:44 AM	Strollo, Bill	Closing all violations for closed case
06/07/2010 11:06:42 AM	Strollo, Bill	Case Status changed to Closed: Voluntary Compliance
06/07/2010 11:06:42 AM	Strollo, Bill	Followup Date removed.
05/13/2010 12:29:01 PM	Strollo, Bill	Initial Case Status Written Warning Given

### Notes

Entry Date	Entered By	Action Date	Note
06/07/2010 11:06:29 AM	Strollo, Bill	06/07/2010	Property cleared.
05/13/2010 03:43:52 PM	Chapman, Whitney	05/13/2010	Written notice sent to Palmetto Funding to clear property of overgrowth.
05/13/2010 12:29:02 PM	Strollo, Bill	05/13/2010	Property overgrown. Subject of prior CE cases - Bella Tramonto & Current owner, Palmetto Funding, LLC.

### History

Entry Date	Employee	Description
05/13/2010 01:48:25 PM	Strollo, Bill	Change case note from: Property overgrown. Subject of prior CE cases - Bella Tramonto & Current owner, BMR Funding Property overgrown. Subject of prior CE cases - Bella Tramonto & Current owner, Palmetto Funding, LLC.

**Attachments**

Date	Title	Description	Uploaded By	Upload Date	Inactive
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No Files Uploaded

*Inactive photos are not included in Case Report***History**

Entry Date	Employee	Description
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**Forms**
 Select Form:  
**History**

Link	Name	Generation Date	Generated By
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**Location**

Validated: No ❌

Last Validated on: 2010-06-07 11:07:06

Address	APN	Additional Information	Census Tract	Block Group	LowModPct	CDBG Eligible	Property Type	Location Field(s)
98 US 41 North Palmetto FL 34221	2581600369	Vacant property to the south of 1st Street East, Riviera Dunes.				NO	Residential	WARDS: 3 CRA: TRUE

**Contacts**

Initiation: Self-Initiated

Contact Role	Name/Business	Address	Phone	Open Cases
Property Owner	Palmetto Funding LLC	801 N 500 W 200 Bountiful UT 84010		0

**Time Tracking**

CE Officer	Date	Hours
Strollo, Bill	10/06/2010	1.00
<b>Total</b>		<b>1</b>



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](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

September 3, 2010

Palmetto Funding, LLC  
801 N 500 W 200  
Bountiful, UT 84010 6858

Palmetto Funding LLC:

Please be advised that your property at 98 US 41 North, Palmetto, Florida is overgrown and in need of clearing.

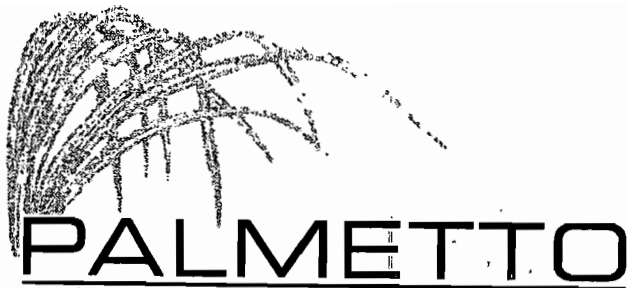
Please correct this problem within the next ten (10) days and maintain the property thereafter.

If you have any questions regarding the actions necessary to remedy this situation, please feel free to contact me at Palmetto City Hall either in person or by telephone at (941) 723-4570, extension 105.

Thank you for your continued cooperation.

Sincerely,

Bill Strollo  
Code Enforcement Director



**CODE ENFORCEMENT**

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](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

**NOTICE OF VIOLATION**

CERTIFIED MAIL/RETURN RECEIPT REQUESTED  
CERTIFIED MAIL NO.7010 0290 0003 5453 7136 and Regular Mail

Palmetto Funding, LLC  
801 N 500 W 200  
Bountiful, Utah 84010 6858

**RE: City of Palmetto, Petitioner, v. Palmetto Funding, LLC**  
**Address of Violation: 98 US 41 North, Palmetto, Florida 34221**

**Legal Description:** A TRACT OF LAND LYING IN SEC 24 TWN 34S, RNG 17E, AND DESC AS FOLLOWS: COM AT THE SW COR OF TRACT "H" OF THE PLAT OF THE NORTHSHORE AT RIVIERA DUNES PHASE 1-A, ACCORDING TO THE MAP OR PLAT THEREOF, AS REC IN PLAT BK 35, P 19, OF THE PRMCF; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 98.69 FT; TH S 26 DEG 33 MIN 54 SEC E, A DIST OF 30.66 FT TO THE PC OF A CURVE TO THE RIGHT HAVING A RAD OF 44.00 FT; AND A C/A OF 26 DEG 33 MIN 54 SEC; TH SLY ALG THE ARC OF SD CURVE, AN ARC LENGTH OF 20.40 FT TO THE P.T. OF SD CURVE; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 232.00 FT TO THE PT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RAD OF 166.00 FT AND A C/A OF 90 DEG 01 MIN 28 SEC; TH SWLY ALG THE ARC OF SD CURVE, AN ARC LENGTH OF 260.82 FT TO THE P.T. OF SD CURVE; TH N 89 DEG 58 MIN 32 SEC W, A DIST OF 549.45 FT; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 454.75 FT; TH S 89 DEG 46 MIN 56 SEC W, A DIST OF 500.00 FT; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 30.00 FT; TH S 89 DEG 46 MIN 56 SEC W, A DIST OF 257.73 FT TO THE POB; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 293.60 FT; TH S 90 DEG 00 MIN 00 SEC W, A DIST OF 121.37 FT; TH S 20 DEG 11 MIN 38 SEC W, A DIST OF 222.78 FT; TH N 40 DEG 44 MIN 44 SEC W, A DIST OF 143.01 FT TO THE ELY R/W OF STATE RD 55 (US HIGHWAY 41 AND US HIGHWAY 301); TH N 00 DEG 11 MIN 35 SEC W, ALG SD ELY R/W, A DIST OF 393.23 FT; TH N 89 DEG 46 MIN 56 SEC E, LEAVING SD ELY R/W, A DIST OF 291.83 FT TO THE POB; TOGETHER WITH A NON-EXCLUSIVE EASMT FOR INGRESS, EGRESS AND UTILITIES AS REC IN OR BK 1652/2365 & 1677/1381, PRMCF, BEING MORE PARTICULARLY DESC AS FOLLOWS: COM AT SW COR OF TRACT "H" OF PLAT OF NORTHSHORE AT RIVIERA DUNES, PH 1-A, ACCORDING TO MAP OR PLAT AS REC IN PB 35, P 19, PRMCF; TH S 00 DEG 00 MIN 00 SEC E, A DIST OF 98.69 FT; TH S 26 DEG 33 MIN 54 SEC E, A DIST OF 30.66 FT TO PT OF CURVATURE OF A CURVE TO RIGHT, HAVING A RAD OF 44.00 FT AND A C/A OF 26 DEG 33 MIN 54 SEC; A CHORD OF 20.22 FT WHICH BEARS S 13 DEG 16 MIN 57 SEC E, FOR A DIST OF 20.40 FT; TH S FOR A DIST OF 232.00 FT TO START OF A TANGENT CURVE TO RIGHT TH ALG ARC OF SD CURVE, HAVING A RAD OF 166.00 FT, A C/A OF 90 DEG 01 MIN 28 SEC, A CHORD OF 234.81 FT WHICH BEARS S 45 DEG 00 MIN 44 SEC W, FOR A DIST OF 260.82 FT; TH N 89 DEG 58 MIN 32 SEC W, A DIST OF 549.45 FT; TH S 00 DEG 13 MIN 04 SEC E, FOR A DIST OF 454.75 FT; TH S 89 DEG 46 MIN 56 SEC W, FOR A DIST OF 500.00 FT TO POB; TH S 00 DEG 13 MIN 04 SEC E, FOR A DIST OF 30.00 FT; TH S 89 DEG 46 MIN 56 SEC W FOR A DIST OF 549.56 FT TO E R/W OF SR 55 (US HWY 41 & US HWY 301); TH ALG SD E R/W N 00 DEG 11 MIN 35 SEC W, FOR A DIST OF 60.00 FT; TH LEAVING SD E R/W N 89 DEG 46 MIN 56 SEC E, A DIST OF 549.53 FT; TH S 00 DEG 13 MIN 04 SEC E, A DIST OF 30.00 FT TO POB. (2164/0949) PI#25816.0036/9 Township 34S Range 17E Section 24

Palmetto Funding, LLC:

The purpose of this letter is to provide you with notice that based upon investigation of alleged violations of 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 16, Health and Sanitation, Article II Nuisances, Section 16-26; Section 16-26(3), and Section 16-27(a), (b), & (c):

- Sec. 16-26. Nuisances defined.
- Sec. 16-26(3). The existence of excessive accumulation or untended growth of weeds and undergrowth that is likely to affect the economic welfare of adjacent property.
- Sec. 16-27(a) & (b). Nuisances are prohibited and may be enforced against any violator.
- Sec. 16-27(c). This article shall be enforced as provided by Florida law.

**DESCRIPTION OF VIOLATION:**

- The above noted property is overgrown.

**TO REMEDY THESE VIOLATIONS**, you must accomplish the following action within ten (10) days of receipt of this Notice. The corrective action necessary is as follows:

- You must mow, trim, weed, and maintain 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 please contact me at Palmetto City Hall either in person or by telephone at (941) 723-4570 ext. 105.

**PLEASE GOVERN YOURSELF ACCORDINGLY.**

**DATED** this 15<sup>th</sup> day of September 2010.

**CITY OF PALMETTO, FLORIDA**



Bill Strollo  
Code Enforcement Director



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Welcome, Bill Strollo

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## CE Case Details

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CE Case Details

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☐ Include photos

### CE Case CE10-552

CE Case #: CE10-552

eFM Case #: N/A

Case assigned to: Strollo, Bill

Priority: MED

Location APN: 2581600369

98 US 41 North  
Palmetto, FL 34221

Vacant property to the south of 1st Street East, Riviera

Dunes. [map](#)

Property Type: Residential

WARDS: 3

CRA: TRUE

Custom Fields Foreclosure?: Yes

Vacant?: Yes

Status: Closed: Voluntary Compliance

Date Opened-Closed: 08/19/2010 - 10/01/2010

Follow Up Date

Follow Up Action Overgrown property.

Open Violations

[Quick Edit](#)

[Full Edit](#)

[Time Tracking](#)

[Clone Case](#)

### Violations

Date	Violation	Submitted By	Status	Disposition	Notes
08/19/2010	Overgrown Property	Strollo, Bill	Closed	Compliance	

### History

Date	Entered By	Action/Note/Activity
10/01/2010 04:08:19 PM	Strollo, Bill	Changed violation disposition to Compliance
10/01/2010 04:08:19 PM	Strollo, Bill	Status changed: Violation Overgrown Property Closed with disposition Compliance
08/19/2010 11:32:19 AM	Strollo, Bill	Added: Overgrown Property

### Status and Follow Up

Status	Follow Up Date	Follow Up Action
Closed: Voluntary Compliance		Overgrown property.

### History

Entry Date	Employee	Description
10/06/2010 10:55:58 AM	Strollo, Bill	Added 5 case hours for Bill Strollo on 2010-10-06.
10/06/2010 10:52:59 AM	Strollo, Bill	Added 4.25 case hours for Bill Strollo on 2010-10-06.
10/01/2010 04:09:12 PM	Strollo, Bill	Closing all violations for closed case
10/01/2010 04:09:10 PM	Strollo, Bill	Case Status changed to Closed: Voluntary Compliance
10/01/2010 04:09:10 PM	Strollo, Bill	Followup Date removed.
10/01/2010 04:08:46 PM	Strollo, Bill	Case Status changed to Notice of Violation Issued
09/15/2010 11:14:04 AM	Strollo, Bill	Followup Date edited from: 09/15/2010 to 10/01/2010.
09/14/2010 02:51:48 PM	Strollo, Bill	Followup Date edited from: 09/14/2010 to 09/15/2010.
09/03/2010 08:57:30 AM	Strollo, Bill	Case Status changed to Written Warning Given
09/03/2010 08:57:30 AM	Strollo, Bill	Followup Date edited from: 09/02/2010 to 09/14/2010.
08/19/2010 11:32:17 AM	Strollo, Bill	Initial Case Status Complaint Filed

### Notes

Entry Date	Entered By	Action Date	Note
10/06/2010 10:55:34 AM	Strollo, Bill	10/06/2010	Record review of Bella Tramonto & Palmetto Funding LLC cases. Case preparation for lien reduction consideration by City Commission.
10/01/2010 04:07:43 PM	Strollo, Bill	10/01/2010	Site inspection. Property cleared for most part. Heavy overgrowth at center of lot, but not worth proceeding with CEB case. Pictures taken.
10/01/2010 04:06:40 PM	Strollo, Bill	09/30/2010	Note from City Clerk attached to Cover letter from City Attorney's firm dated Sept. 17, 2010. Palmetto Funding LLC requesting lien reduction to \$5,000.00 claiming they were unaware of lien. Also claim they have been maintaining property.
09/16/2010 03:10:46 PM	Strollo, Bill	09/16/2010	Jimmy reports property owner's crew on site clearing overgrowth now.
09/15/2010 11:13:53 AM	Strollo, Bill	09/15/2010	Site inspection. No change. NOV posted on property. Pictures. Posted @ CH.
09/15/2010 10:29:01 AM	Strollo, Bill	09/15/2010	NOV issued; mailed certified & regular.
09/15/2010 10:28:29 AM	Strollo, Bill	09/15/2010	Property Appraiser & Tax Collector search. Owner remains Palmetto Funding. Since taking possession of property, they have not paid the 2008 or 2009 property taxes. No listing for this company under Sunbiz.
09/14/2010 10:49:50 AM	Strollo, Bill	09/14/2010	Property still overgrown. Issue NOV, post property in addition to certified mail.
09/03/2010 08:56:27 AM	Strollo, Bill	09/03/2010	Letter to Palmetto Funding to clear & maintain property. Clear w/in ten days.
09/02/2010 09:31:37 AM	Strollo, Bill	09/02/2010	Property overgrown.
08/19/2010 11:32:19 AM	Strollo, Bill	08/19/2010	Property becoming overgrown. Recheck in two weeks.

**History**

Entry Date	Employee	Description
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**Attachments**

Date	Title	Description	Uploaded By	Upload Date	Inactive
09/03/2010	Letter to Palmetto Funding	Overgrowth & maintn	Strollo, Bill	09/03/2010 08:57:22 AM	

Inactive photos are not included in Case Report

**History**

Entry Date	Employee	Description
09/03/2010 08:57:22 AM	Strollo, Bill	Case file titled 'Letter to Palmetto Funding' dated 2010-09-03 00:00:00 added.

**Forms**

Select Form:

**History**

Link	Name	Generation Date	Generated By
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**Location**

Validated: No

Last Validated on: 2010-10-06 10:55:44

Address	APN	Additional Information	Census Tract	Block Group	LowModPct	CDBG Eligible	Property Type	Location Field(s)
98 US 41 North Palmetto FL 34221	2581600369	Vacant property to the south of 1st Street East, Riviera Dunes.					NO Residential	WARDS: 3 CRA: TRUE

**Contacts**

Initiation: Self-Initiated

Contact Role	Name/Business	Address	Phone	Open Cases
Property Owner	Palmetto Funding LLC	801 N 500 W 200 Bountiful UT 84010		0

**Time Tracking**

CE Officer	Date	Hours
Strollo, Bill	10/06/2010	4.25
Strollo, Bill	10/06/2010	5.00
<b>Total</b>		<b>9.25</b>





03/24/2008





03/24/2008



03/24/2008







03/24/2008



03/24/2008





# Lifestyle REALTY GROUP

Commercial Real Estate Division

RUVENBURG MODEL  
FOR DETAILS CONTACT:  
THE REAL ESTATE MATCHBOOK  
(941) 722-1222

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Commercial Real Estate Division  
Serving the South  
West Coast

04/18/2008





04/18/2008



**LifeStyle**  
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Samuel J. Asfur  
Licensed Real Estate Broker

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REALTY GROUP  
Lifestyle Properties  
Samuel J. Asfur  
Lic. Real Estate Broker



05/15/2008







# LifeStyle REALTY GROUP

Equal Housing Opportunity

06/25/2008



# Lifestyle REALTY GROUP

Licensed Real Estate Broker

07/09/2008







10/17/2008



10/17/2008







10/17/2008



11/20/2009

[illegible]

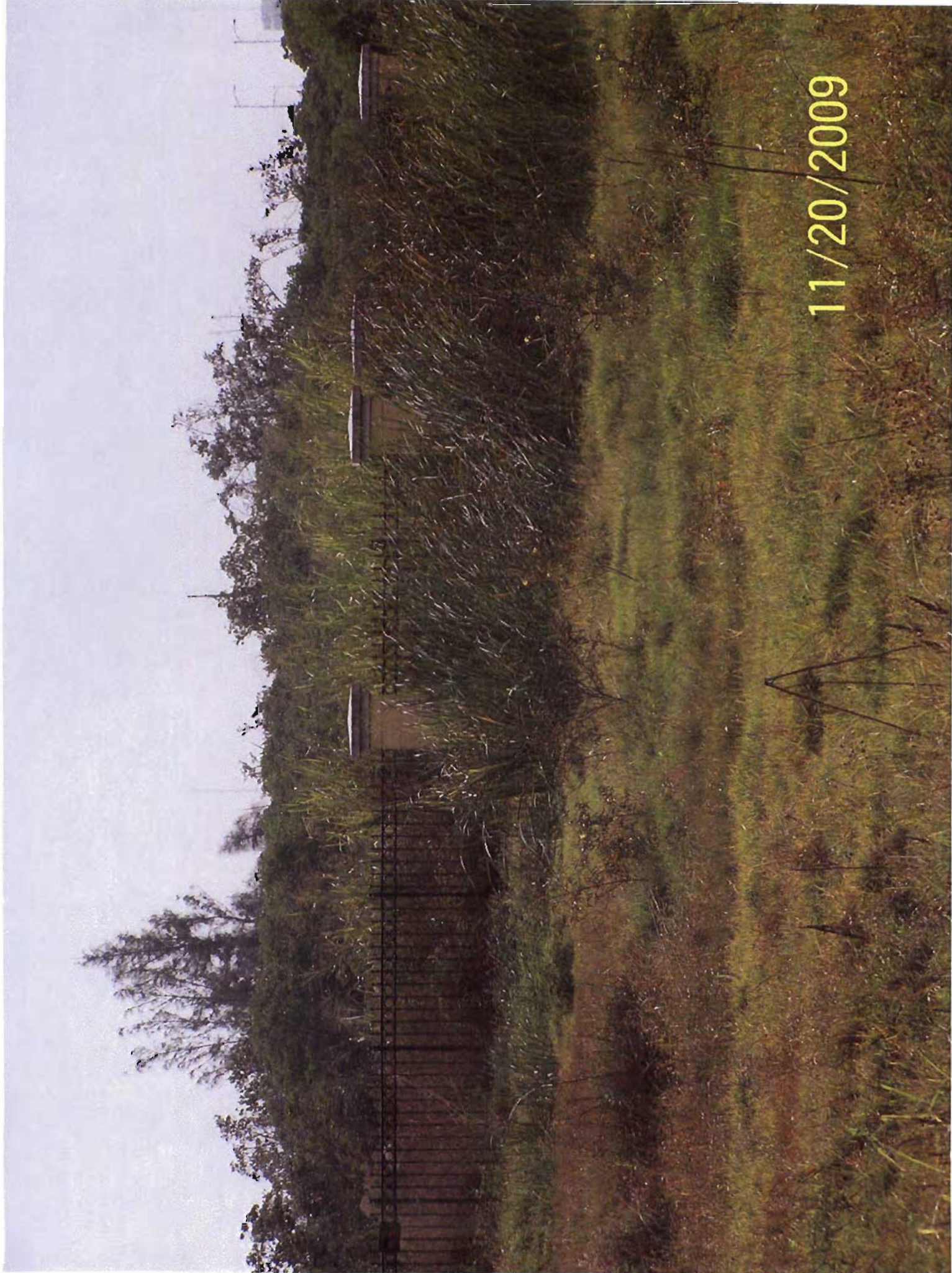




11/20/2009



11/20/2009



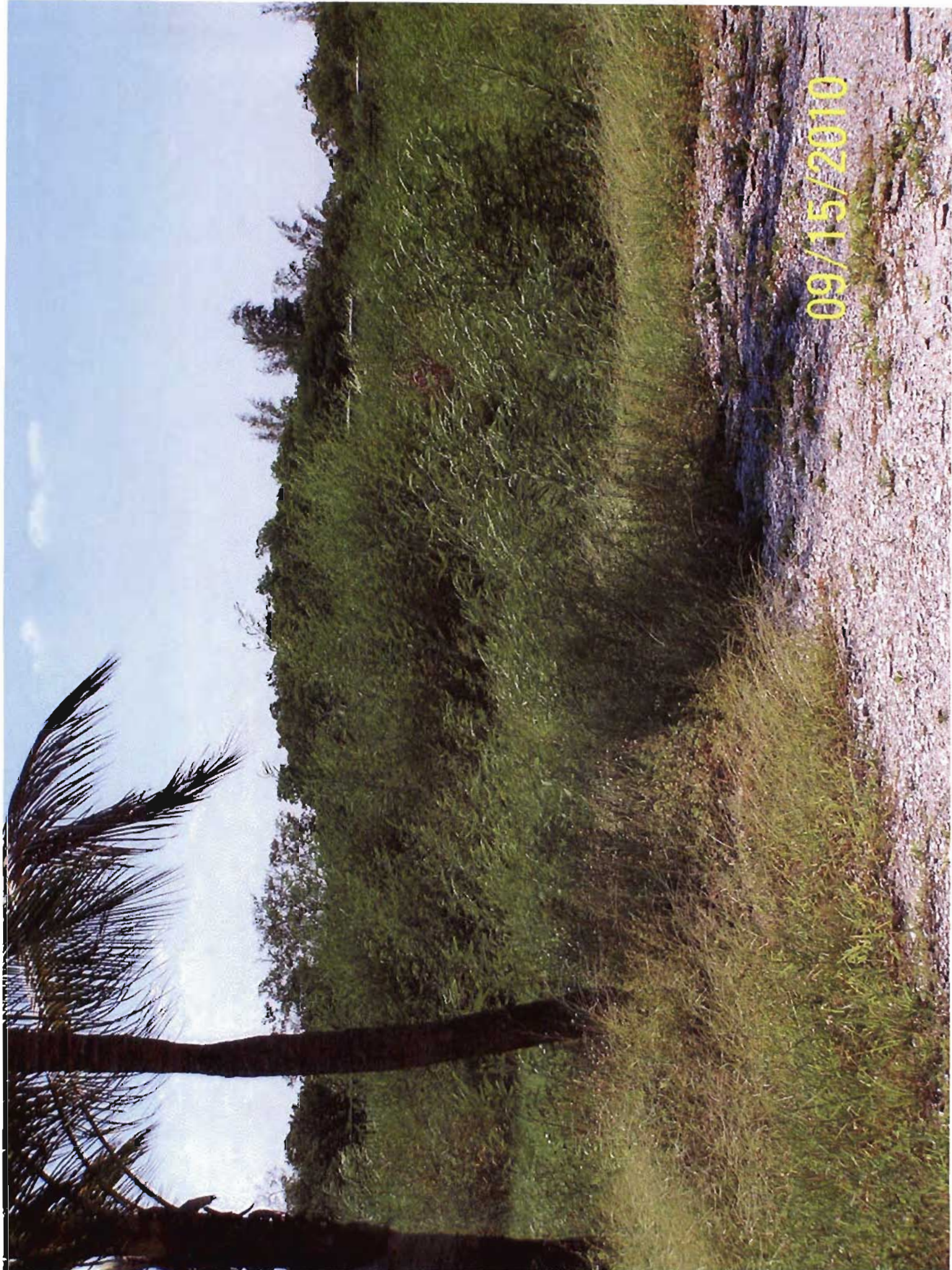




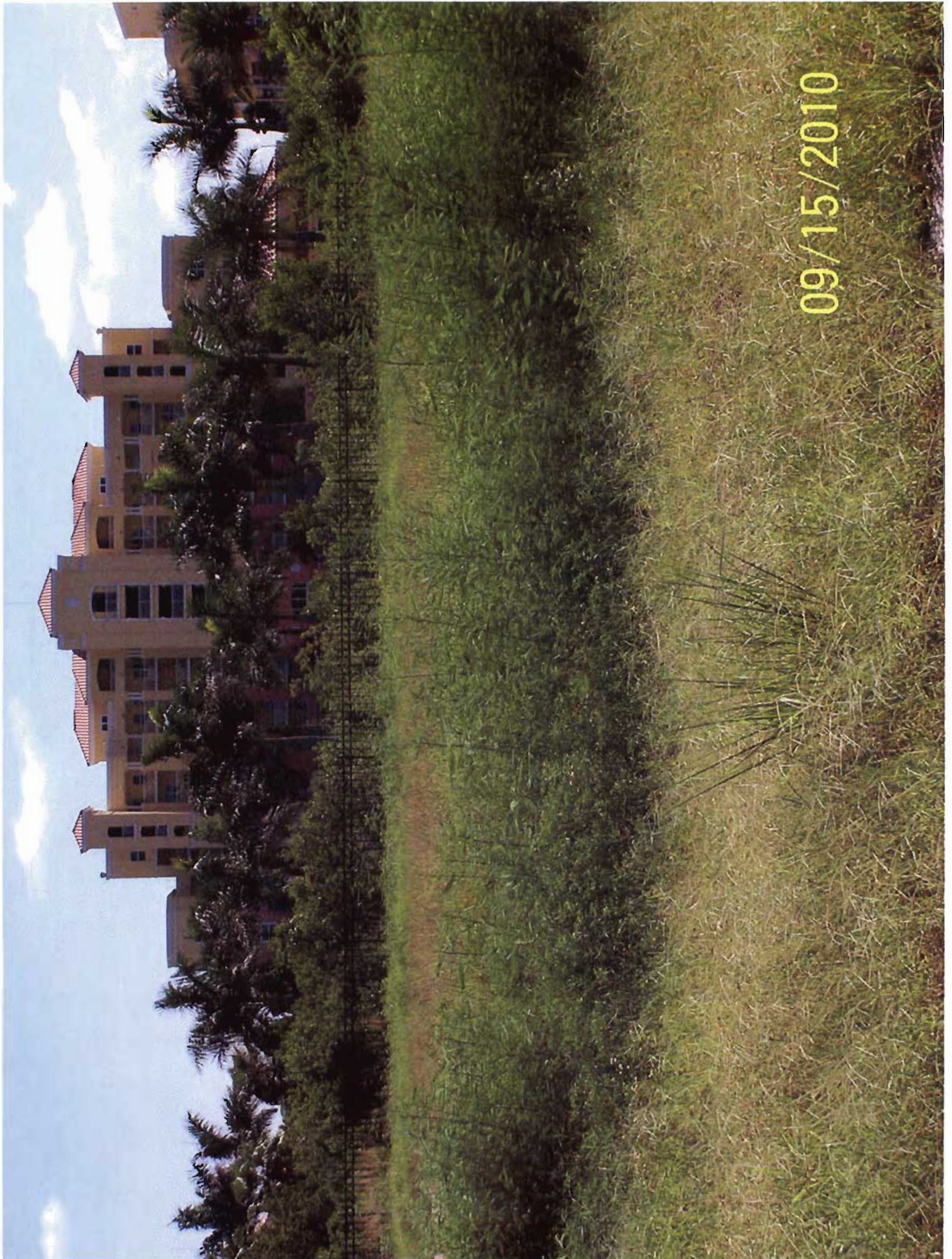
09/15/2010



09/15/2010





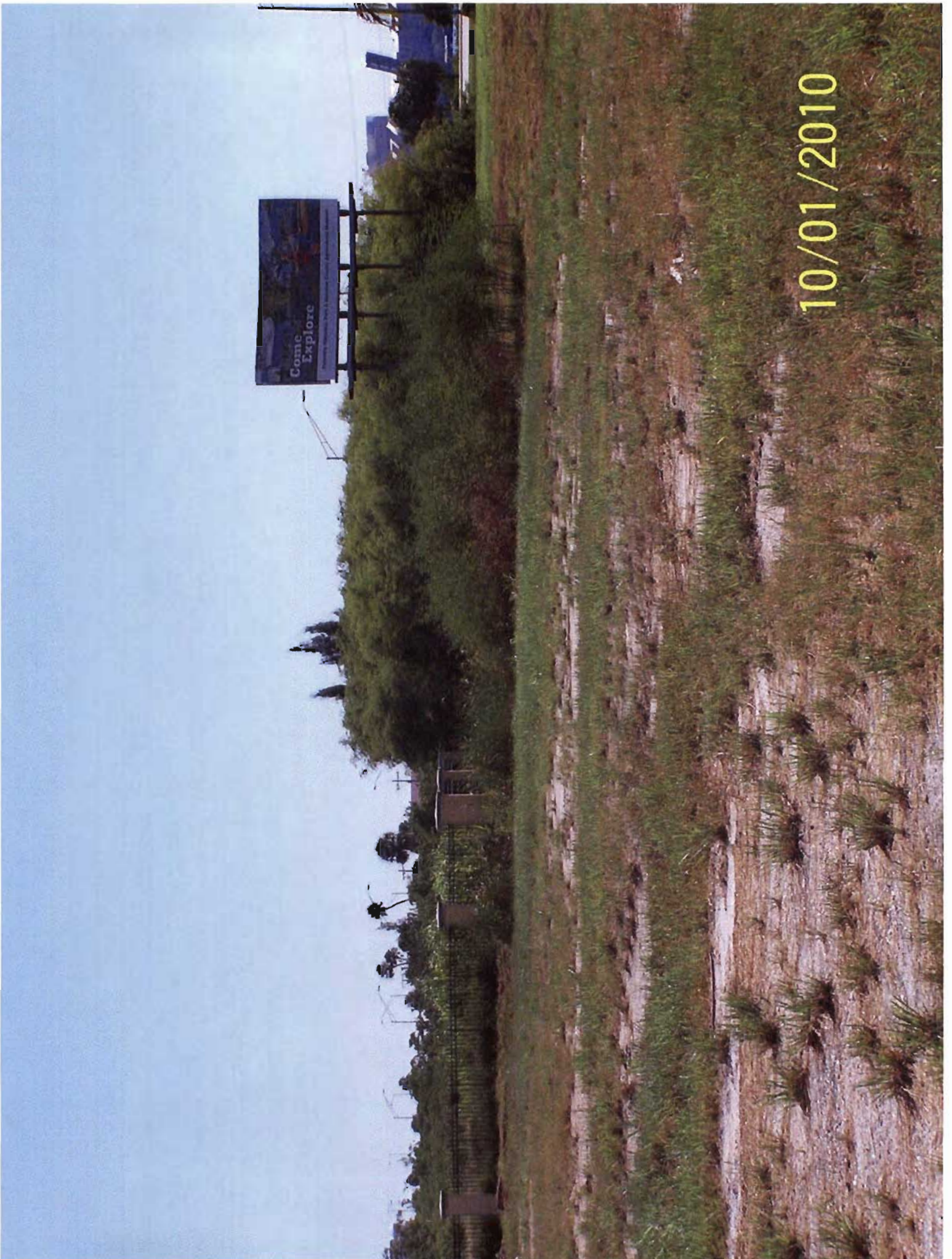


09/15/2010

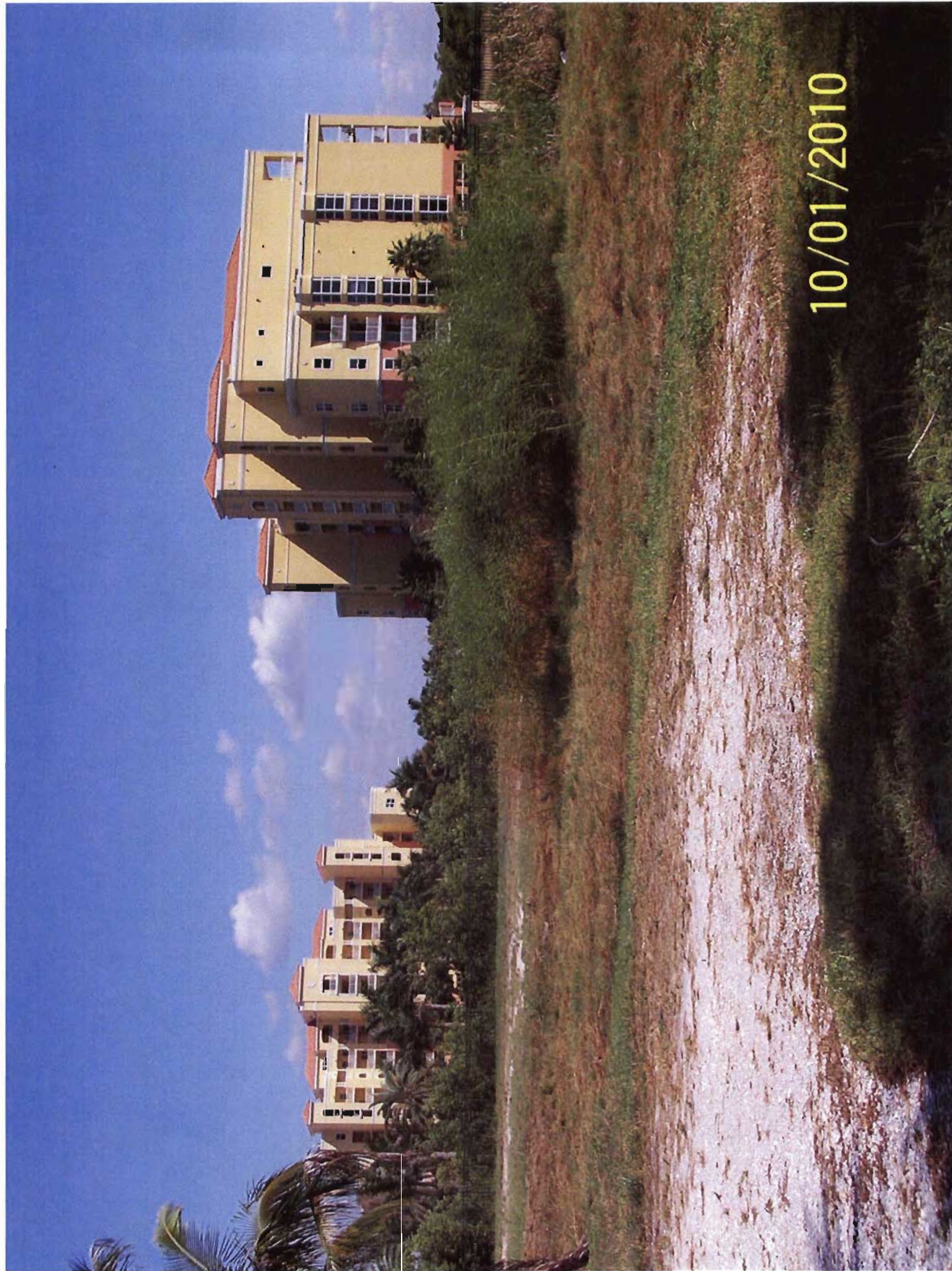


Come  
Explore

10/01/2010







10/01/2010





10/01/2010



VACANT LOT ACROSS STREET - 102 1<sup>ST</sup> STREET EAST

