



JAMES H. "MAC" MCCARTY, JR., JD, MBA

EMAIL: MAC@LAWGATORS.COM

JULIE M. NAIM, JD

EMAIL: JULIE@LAWGATORS.COM

ELIZABETH KEETER, JD

EMAIL: BETH@LAWGATORS.COM

2630-A NW 41ST STREET, GAINESVILLE, FL 32606

TELEPHONE: 352-240-1226 · FACSIMILE: 352-240-1228 · WWW.LAWGATORS.COM

January 25, 2016

City of Gainesville Code Enforcement
C/O Chris Cooper
P.O. Box 490, Sta. 10A
Gainesville, Florida 32627-0490

RECEIVED

JAN 28 2016

CODE ENFORCEMENT DIVISION

Reference: Municipal Lien OR BK 3358 PG 974

Dear Mr. Cooper,

This firm represents Alachua Habitat for Humanity, Inc., on a pro bono basis for their home closings. I am requesting your assistance in an attempt to satisfy and release a municipal lien on property that purchased by Alachua Habitat for Humanity, Inc. from Santa Fe College Foundation. Please find below a summary of the situation:

1. Parcel: 08481-003-000 was owned by individuals named Edmark and McCutchen, who took title by quitclaim deed in 1995. (copy enclosed as well as a copy of the Property Appraiser's info page)
2. At some point, it appears the dwelling on the property burned or was otherwise rendered uninhabitable and unsafe. The City ordered removal. (copy enclosed)
3. Apparently, Edmark and McCutchen did not comply and the City demolished and removed the remains of the dwelling and filed a Municipal Lien for \$772.00. (copy enclosed)
4. In 2007, Kirk Reeb's trust acquired title to the property by way of a tax deed sale (copy enclosed), but a tax deed sale doesn't clear a Municipal Lien.
5. In 2009, Mr. Reeb donated the property to the Santa Fe College Foundation (a 501(c)(3) charitable organization supporting Santa Fe College). I doubt any title work was done on the donation where no cash changed hands but Mr. Reeb received a charitable contribution benefit on his tax return. (copy enclosed)

6. In late September of 2015, Santa Fe College Foundation, Inc., conveyed the property to Alachua Habitat for Humanity, Inc. (another 501(c)(3) charitable organization) in order for Habitat to begin construction on a home for a fortunate Gainesville family.
7. As the title agent for the closing, this Municipal Lien has popped up in the search we received.
8. On behalf of Alachua Habitat for Humanity, Inc., I respectfully request that the City of Gainesville consider waiver of payment and satisfaction of this lien in order to assist Habitat in its efforts to build this home for the future residents.

It is my understanding that this request will be heard at the next City Commission meeting as a part of the Consent Agenda. Please let me know when this request will be heard as I would be happy to discuss the matter or answer any questions the City Commission may have. It is our hope that this matter will be dealt with quickly and at a low cost as Habitat for Humanity, Inc. is a not for profit corporation helping those in Gainesville. This satisfaction and release will assist in clearing the title to the property so that the Title Insurance can be finalized.

Please do not hesitate to call with any questions or concerns you may have. I look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink that reads "Mac McCarty". The signature is written in a cursive, flowing style.

James H. McCarty, Jr., Esq.

Cc: Alachua Habitat for Humanity, Inc.

Rec 6.00
Doc 70

This Quit-Claim Deed Made the 3rd day of August, 1995, by

DOROTHY SUSAN KELLY and JAMES D. KELLY,
wife and husband,

whose post office address is
540 N. E. 25th Street, Gainesville, FL 32601,

first party, to

ANNIE R. EDMARK and BARBARA M. McCUTCHEN,

whose post office address is 512 N. W. 26th Avenue, Gainesville, FL 32609,
and whose social security numbers are

second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporation, wherever the context so admits or requires.)

Witnesseth: That the said first party, for and in consideration of the sum of \$10.00, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece, or parcel of land, situate, lying and being in the County of Alachua, State of Florida, to-wit:

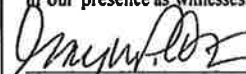
Lots Thirty-five (35), Thirty-six (36), Thirty-seven (37) and Thirty-eight (38), Block "B", BELVEDERE HEIGHTS SUBDIVISION, as per plat thereof recorded in Plat Book "B", Page 86, of the Public Records of Alachua County, Florida.

To Have and to Hold, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

Property Appraisers Parcel Number(s): 08481-003-000

In Witness Whereof, the said first party has signed and sealed these presents the day and year first above written.

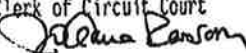

Signed, sealed and delivered in our presence as witnesses:



Print Name WAYNE P. CASTELLO



Print Name MERIDITH R. STAIGER

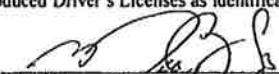
Doc. St. Art. \$ 070
J.K. "Buddy" Irby, Clerk of Circuit Court
Alachua County - By 
 L.S.
DOROTHY SUSAN KELLY

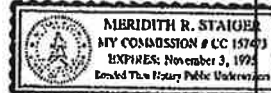


JAMES D. KELLY

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 3rd day of August, 1995, by DOROTHY SUSAN KELLY and JAMES D. KELLY, wife and husband, who are personally known to me or who have produced Driver's Licenses as identification and who did not take an oath.


Print Name MERIDITH R. STAIGER
Notary Public, State of Florida
My Commission expires:
My Commission Number:



This Instrument Prepared by,
and return to:
WAYNE P. CASTELLO
ATTORNEY AT LAW
2772 NW 43 STREET, STE W
GAINESVILLE, FLORIDA 32606
w2.95-355.dqc

RETURN TO

2022 P62920

1345615

Parcel: 08481-003-000

Search Date: 9/30/2015 at 1:30:25 PM - Data updated: 09/30/15

Taxpayer:	SANTE FE COLLEGE FOUNDATION INC	Legal:	BELVEDERE HEIGHTS PB B-86 LOTS 35 36 37 38 BK B OR 3992/0685
Mailing:	3000 NW 83RD ST F207 GAINESVILLE, FL 32606		
Location:	512 NW 26TH AV GAINESVILLE		
Sec-Twn-Rng:	29-9-20		
Use:	Vacant		
Tax Jurisdiction:	Gainesville		
Area:	Gville Hts/Belvedere		
Subdivision:	Belvedere Heights		

Current Values								
Land	Building	Misc	Total	Deferred	Assessed	Exempt *	Taxable *	Taxes
10000	0	0	10000	0	10000	0	10000	235.61

These numbers reflect County General Fund but do not reflect School Board taxable value.

Assessment History

**** Exempt Amount and Taxable Value History reflect County Amounts. School Board and City Amounts may differ. ****

Year	Use	Land	MktLand	Building	Misc	Market	SOH Deferred	Assessed	Exempt**	Taxable**	Taxes
2014	Vacant	10000	10000	0	0	10000	0	10000	0	10000	237.42
2013	Vacant	10000	10000	0	0	10000	0	10000	0	10000	238.16
2012	Vacant	20000	20000	0	0	20000	0	20000	0	20000	473.95
2011	Vacant	20000	20000	0	0	20000	0	20000	0	20000	480.05
2010	Vacant	20000	20000	0	0	20000	0	20000	0	20000	477.56
2009	Vacant	32000	32000	0	0	32000	0	32000	0	32000	764.71
2008	Single Family	32000	32000	0	1900	33900	0	33900	0	33900	752.26
2007	Single Family	14000	14000	0	1900	15900	0	15900	0	15900	354.84
2006	Single Family	14000	14000	0	2000	16000	0	16000	0	16000	393.34
2005	Single Family	7500	7500	0	1100	8600	0	8600	500	8100	204.63
2004	Single Family	7500	7500	0	1200	8700	0	8700	0	8700	237.49
2003	Single Family	7500	7500	28900	1200	37600	4020	33580	33580	0	143.53
2002	Single Family	7500	7500	24100	1200	32800	0	32800	26000	6800	192.02
2001	Single Family	7500	7500	25400	1400	34300	610	33690	26000	7690	214.28
2000	Single Family	7500	7500	24000	1400	32900	190	32710	26000	6710	191.12
1999	Single Family	7500	7500	22800	0	30300	0	30300	26000	4300	128.16
1998	Single Family	7500	7500	24700	0	32200	2040	30160	26000	4160	129.35
1997	Single Family	7500	7500	23500	0	31000	1340	29660	26000	3660	115.93
1996	Single Family	7500	7500	21300	0	28800	0	28800	26000	2800	80.43
1995	Single Family	10000	10000	20300	0	30300	0	30300	0	30300	871.02

Land

Use	Zoning	Acres
SFR	Res SF 3	0
Current Land Value: 10000		

Sale

Date	Price	Vacant	Qualified	OR Book	OR Page	Instrument
09/30/2009	31000	Yes	No	3992	0685	Warranty Deed
10/18/2007	4500	No	No	3693	0997	Tax Deed
08/03/1995	100	No	No	2022	2920	Quitclaim Deed
08/03/1995	23000	No	No	2022	2918	Deed



CITY OF GAINESVILLE
Code Enforcement Division

306 NE 6th Avenue
Gainesville, FL 32602-0490
Telephone: 352-334-5030
Fax: 352-334-2239

NOTICE OF VIOLATION

ANNA EDMARK & MCCUTHEN
702 NW 31ST AVE
GAINESVILLE, FLORIDA 32601



YOU ARE HEREBY NOTIFIED that the property in which you have an interest, located in the City of Gainesville, Florida at 512 NW 26 AVE GNSV, TAX # 08481-003-000, has been found to be a Dangerous Building and Hazardous Land within the standards set forth in Chapter 16 of the Code of Ordinances for the City of Gainesville by reason of the following:

- 1 Section 16-17-(3) The building has been damaged by fire, wind or other causes so as to have become dangerous to life, safety, or the general health and welfare of the occupants or the people of the city.
- 2 Section 16-17-(5) The building has light, air, and sanitation facilities which are inadequate to protect the health, safety, or general welfare of human beings who live or may work therein.
- 3 Section 16-17-(9) The building is vacant and not sufficiently secured to prevent easy access to trespassers, loiters and vagrants.

Therefore, you are in violation of Section 16-19 of the Code of Ordinances for the City of Gainesville. This violation consists of creating, keeping, maintaining, or allowing the existence of a dangerous building and hazardous land in or on such real property.

TO REMEDY THIS VIOLATION, said building must be repaired to meet minimum property maintenance standards described in Chapter 13 of the Gainesville Code of Ordinances or boarded or sealed to meet the minimum requirements of Section 16-20 of the Gainesville Code of Ordinances within 20 days and all debris removed within ten (10) days from the date of this Notice or until **Wednesday, July 09, 2003**. A board and seal permit is required prior to the work being started, other permits may also apply. A permit can be obtained from the Building Inspection office at the Thomas Center, 306 NE 6th Avenue. Otherwise, the City of Gainesville may cause the building to be boarded or sealed and the land to be cleaned and charge the costs thereof against the parties having an interest in the land upon which the building is located. If board or seal and land cleaning charges are not paid within thirty (30) days from receipt of invoice, the City may place a special assessment or lien against the property in the amount of the charges, including advertising, title research, and related costs.

APPEALS OF THE INTERPRETATION of this Ordinance may be made by any person aggrieved or affected by any notice or decision which has been issued in connection with the enforcement of this Ordinance. Such appeals shall be taken within twenty (20) days after this notice of violation has been served or action taken. A petition may be filed in the Planning Department with the Clerk of the Board of Adjustment, 306 NE 6th Avenue, 1st Floor.

FAILURE TO COMPLY with this notice of violation will result in your case being referred to the Gainesville Code Enforcement Board. If you are found guilty of any of the referenced violations you may be fined up to \$250.00 daily for a first time offence and \$500.00 a day for a repeat offence.

A REQUEST FOR AN EXTENSION OF TIME may be made by filing a written petition in the office of the Code Enforcement Division on or before the expiration date of this notice.

DATED: Thursday, June 19, 2003

Sharon Dixon
Sharon Dixon
CODE ENFORCEMENT OFFICER
(352) 334-5030

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 1967109 1 PG
2003 AUG 25 02:47 PM BK 2751 PG 993
J. K. "BUDDY" IRBY
CLERK OF CIRCUIT COURT
ALACHUA COUNTY, FLORIDA
CLERK2 Receipt#154791

A/P/D#2003-05001
Dan-Buiki-Hazland-Board Seal

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2232894 3 PGS

2006 APR 25 03:01 PM BK 3358 PG 974

J. K. "BUDDY" IRBY
CLERK OF CIRCUIT COURT
ALACHUA COUNTY, FLORIDA
CLERK10 Receipt#281120

Prepared by and return to:
James L Garrett Sr.
Code Enforcement Division
City of Gainesville
P.O. Box 490, Sta. 10-A
Gainesville, Florida 32602



CLAIM OF LIEN

State of Florida
County of Alachua

BEFORE ME, the undersigned authority, personally appeared James L Garrett Sr., who, being duly sworn, says:

1. That he is the Code Enforcement Manager for the City of Gainesville, a Florida municipal corporation (hereinafter referred to as the "City"), having an address of P.O. Box 490, Sta. 10-A, Gainesville, Florida 32602.

2. That to the best of his knowledge and belief, **EDMARK & MCCUTCHEN C/O ANNIE EDMARK**, of **702 NW 31 AVE GAINESVILLE FL 32608** (hereinafter referred to as the "Owner"), is/are the record owner(s) of the following described real property located in Gainesville, Alachua County, Florida, (hereinafter referred to as the "Property").

Tax Parcel: 08481-003-000

Location: 512 NW 26 AVE

LEGAL DESCRIPTION

BELVEDERE HEIGHTS PB B-86 LOTS 35 36 37 38 BK B OR 2022/2918

3. That, on **June 13, 2003** Code Enforcement found and determined that a **dangerous building** existed on the Property as defined in Section 16-17, City of Gainesville Code of Ordinances, and that the property was in violation of Section 16-19, City of Gainesville Code of Ordinances.

4. That, pursuant to Section 16-26, City of Gainesville Code of Ordinances, a written Notice of Violation was served by delivery and/or posting and mailed via United States Certified Mail to the owner on **June 19, 2003**.

5. That the Owner of the Property failed to remedy the **dangerous building** violation by the time stated in the Notice of Violation and failed to file an appeal with the Appeals Board.

6. That on **September 2, 2003**, the dangerous building was boarded and sealed by the City and the City incurred expenses for the board and seal, which expenses are the financial responsibility of the Owner of the Property.

7. That on March 25, 2004, and pursuant to Sec. 16-29, Gainesville Code of Ordinances, a bill for the expenses incurred by the City for the board and seal was transmitted to the Owner. On March 31, 2006, after the expiration of a period of at least 90 days, the Owner was notified of the intention to record a lien against the Property by advertisement in the Gainesville Sun.

8. That the Owner has failed to pay the amount due within five days of service of the date of advertising in the Gainesville Sun.

9. That the City of Gainesville claims a lien against the above-described Property for the sum of \$772.00.

CITY OF GAINESVILLE

By: [Signature]
James L Garrett Sr.
Code Enforcement Manager

STATE OF FLORIDA
COUNTY OF ALACHUA

[Signature] The foregoing Claim of Lien was acknowledged before me on this 25 day of _____, 2006, by James L Garrett Sr, who:

- did take an oath
- did not take an oath
- is personally known to me
- produced a current Florida Driver's License # _____ as identification
- produced _____ as identification.

[Signature]
Notary Public, State of Florida


Printed Name of Notary: Kelly L. Lofland
Commission Number and Expiration: 00376510 April 2, 2009

INSTRUMENT # 2232894

3 PGS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent by U.S. certified mail to EDMARK & MCCUTCHEN C/O ANNIE EDMARK, of 702 NW 31 AVE GAINESVILLE FL 32608, this 25 day April of 2006.



JAMES L GARRETT SR.,
CODE ENFORCMENT MANAGER

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2379751 1 PG
2007 OCT 19 08:37 AM BK 3693 PG 997
J. K. "BUDDY" IRBY
CLERK OF CIRCUIT COURT
ALACHUA COUNTY, FLORIDA
CLERK25 Receipt#350419
Doc Stamp-Deed: 31.50

TAX DEED FILE NO. TD 2007-048
PARCEL I. D. # 08481-003-000

TAX DEED

The following Tax Sale Certificate numbered: 2802 issued on May 25, 2005, was filed in the office of the tax collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the cost and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was on the 18th day of October, 2007 offered for sale as required by law for cash to the highest bidder and was sold to Kirk P. Reeb Revocable Living Trust Dated February 13, 2002, whose address is 12 N.W. 7th Ave., Gainesville, FL, 32601, being the highest bidder and having paid the sum of the bid as required by the laws of Florida.

NOW, on this 18th day of October, 2007, in the County of Alachua, State of Florida, in consideration of the sum of four thousand five hundred and 00/100 dollars (\$4,500.00), being the amount paid pursuant to the laws of Florida, the Clerk of the Circuit Court pursuant to Chapter 197, Florida Statutes, does hereby sell the following lands situated in the County and State aforesaid and described as follows:

**BELVEDERE HEIGHTS PB B-86 LOTS 35 36 37 38 BK B OR 2022/2918
SECTION 29 TOWNSHIP 09 RANGE 20 ALACHUA COUNTY, FLORIDA**

(SEAL)

Ann L. Schneider
Witness
Teresa Moore
Witness



J. K. "Buddy" Irby
J. K. "Buddy" Irby
Clerk of the Circuit Court in and for Alachua
County, Florida

STATE OF FLORIDA
COUNTY OF ALACHUA

On this 18th day of October, 2007, before me Cheryl Ann Jordan, personally appeared J.K. "Buddy" Irby, Clerk of the Circuit Court in and for Alachua County, Florida, known to me to be the person described in, and who executed the foregoing instrument, and acknowledged the execution of this instrument to be his own free act and deed for the use and purposes therein mentioned.



Cheryl Ann Jordan
Cheryl Ann Jordan
Commission # DD 288576



2379751