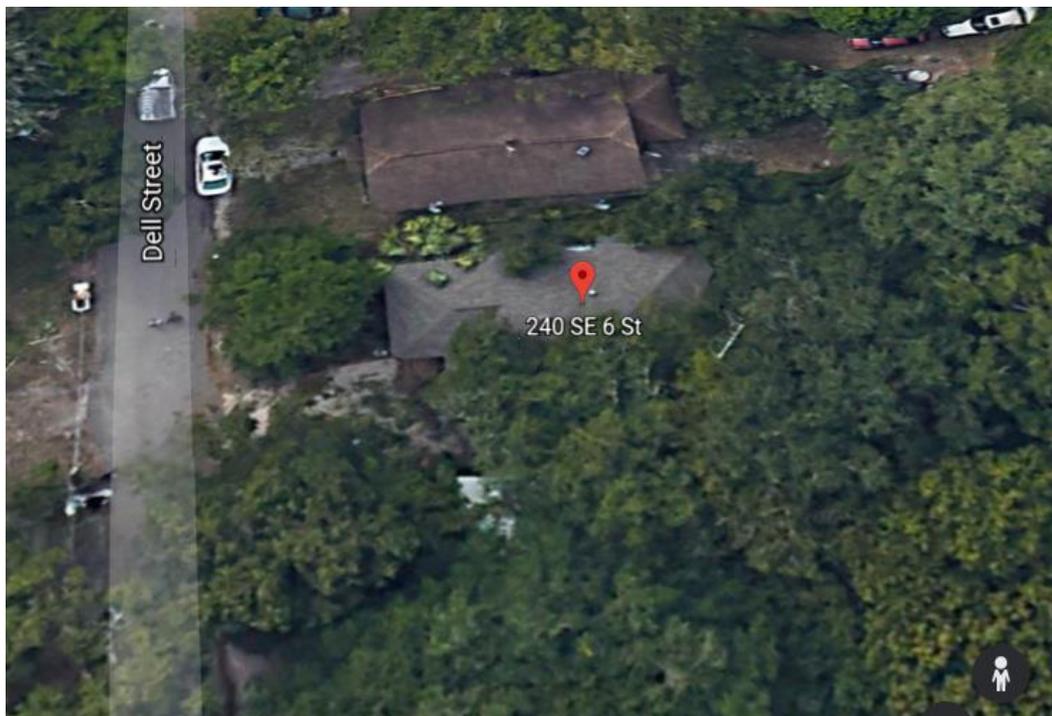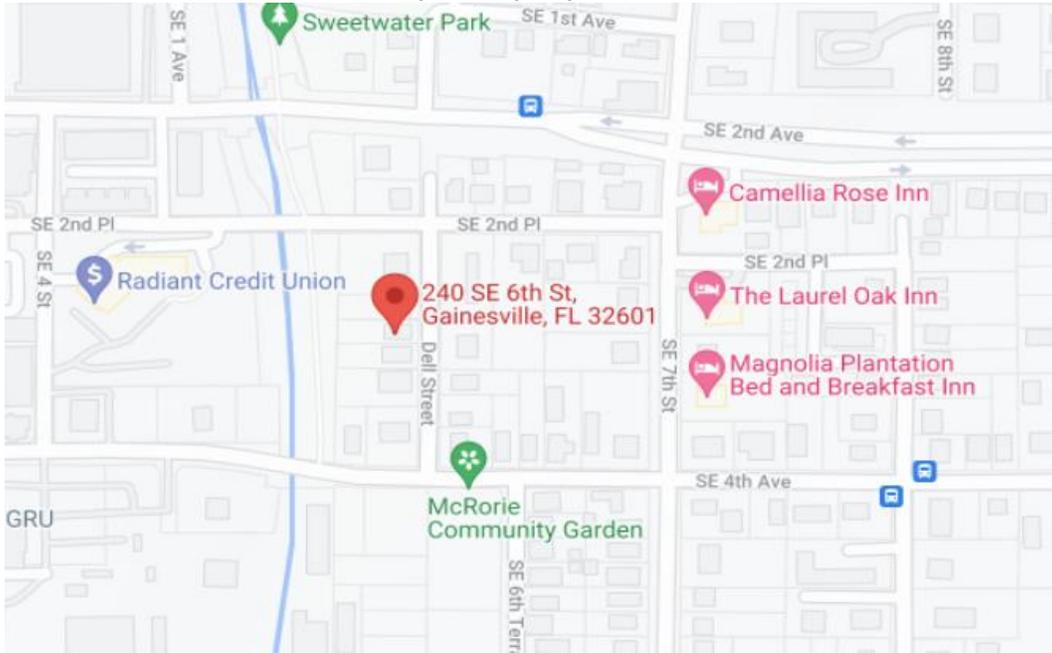# CITY OF GAINESVILLE   210209A

Neighborhood Enhancement Division

P.O Box 490, Station 10A
Gainesville, FL 32627-0490
(352) 334-5030 / (352) 334-2239 (fax)
www.cityofgainesville.org

CITY v. STEVEN PHELPS
CE-16-02357 / 2017-039
240 SE 6TH ST / Tax Parcel No. 12179-000-000

Notice of Violation:	September 16, 2016
Description of Violation:	16-19 Dangerous Building, 16-17(1) Dangerous Building Interior Walls – Leaning Etc.
CEB Order Signed:	April 24, 2017
CEB Date Given to Comply:	May 24, 2017
Affidavit of Non-Compliance Inspection Date:	May 30, 2017
Lien Recorded On:	October 5, 2017 in Book 4548, Page 2334
Affidavit of Compliance Inspection Date:	November 14, 2017
Accumulated Fine:	$17,200.00 (172 days @ $100.00)
Assessed Costs:	$152.60 paid
SMH Reduction/Rescission:	August 12, 2021
SMH Recommendation:	Reduce the remaining lien amount to $500.00.
Staff Recommendation:	The City Commission ammend the Magistrate's ruling and reduce the lien to $2,000.

Map of Property Location

SUMMARY:

This item is a request for the City Commission to consider an application for a lien reduction or rescission for 240 SE 6TH St. On September 19, 2016, a Notice of Violation was issued for violation of Sec. 16-17 (1) Dangerous Building for a shed on the property whose roof had fallen in. As the violation was not corrected by demolishing/removing the structure, the case was heard on April 13, 2017 by the Magistrate and a Guilty verdict was obtained. The violation was to be corrected by May 25, 2017.

The violation was not corrected and fines of $100 a day plus an administrative fee of $152.60 (paid) were assessed. The violation fines ran for 172 days until compliance was achieved, accumulating a total of $17,200.

On July 20, 2021, Mr. Phelps requested a reduction rescission of the accumulated fines. He met with Pete Backhaus, Neighborhood Enhancement Manager and Andrew Persons, Planning and Development Director.

A Reduction/Rescission Hearing was held on August 12, 2021 before the Special Magistrate. Based on the information presented, the Magistrate recommended the remaining amount of the lien be reduced to $500. Staff is recommending the Commission accept Staff's Recommendation to reduce the lien to $2,000.

9/13/19 – Photo was taken by Todd Martin and accurately reflected the condition of the property at the time it was taken.

8/11/21– Photo was taken by Pete Backhaus and accurately reflects the condition of the property at the time it was taken.

Code Enforcement Division   September 16, 2021
CITY v. STEVEN PHELPS
240 SE 6TH ST / Tax Parcel No. 12719-000-000
CE-16-02357 / 2017-039

RELEASE OF LIEN

STATE OF FLORIDA
COUNTY OF ALACHUA

      The City of Gainesville, a municipal corporation of the State of Florida, hereby releases the real property hereinafter described from a certain lien filed by the City of Gainesville Code Enforcement Board on October 5, 2017, Book 4548, Page 2334, in the Office of the Clerk of Court of Alachua, County, Florida, Public Records of Alachua County, Florida. Said lien arose from the Order Imposing Fine(s) and Costs entered by the City of Gainesville Code Enforcement Special Magistrate in Case Number CE-16-02357 pursuant to Section 162.09, Florida Statutes (2018) which orders fines and costs payable to the City of Gainesville. The City of Gainesville declares said lien released, against the following described real property; and any and all real or personal property owned by Steven Phelps, and all successors in interest.

Parcel No.:   12179-000-000

Legal Description: The North 50 feet of the South 100 feet of the East 157 feet of Lot 1, Block 1, Range 4 of Roper's Addition, as per Deed Book J, Page 550, of the Public Records of Alachua County, Florida.

Address: 240 SE 6TH Street, Gainesville, FL, 32601

WITNESS my hand and seal this _____ day of _____, 2021.

CITY OF GAINESVILLE

By: _____
          LAUREN POE, MAYOR

      On this _____ day of _____, 2021, LAUREN POE, as Mayor of the CITY OF GAINESVILLE, personally appeared before me and executed the foregoing release of lien for the purposes therein expressed.

      Witness my hand and seal the day and year last above written.

_____
Notary Public, State of Florida
(Seal)   My Commission Expires: _____

[Prepared by: Code Enforcement, 306 NE 6th Avenue, Room 130 Gainesville, FL 32601]
Gainesville Code Enforcement, 306 NE 6th Ave, P.O. Box 490, Sta. 10A, Gainesville, FL