



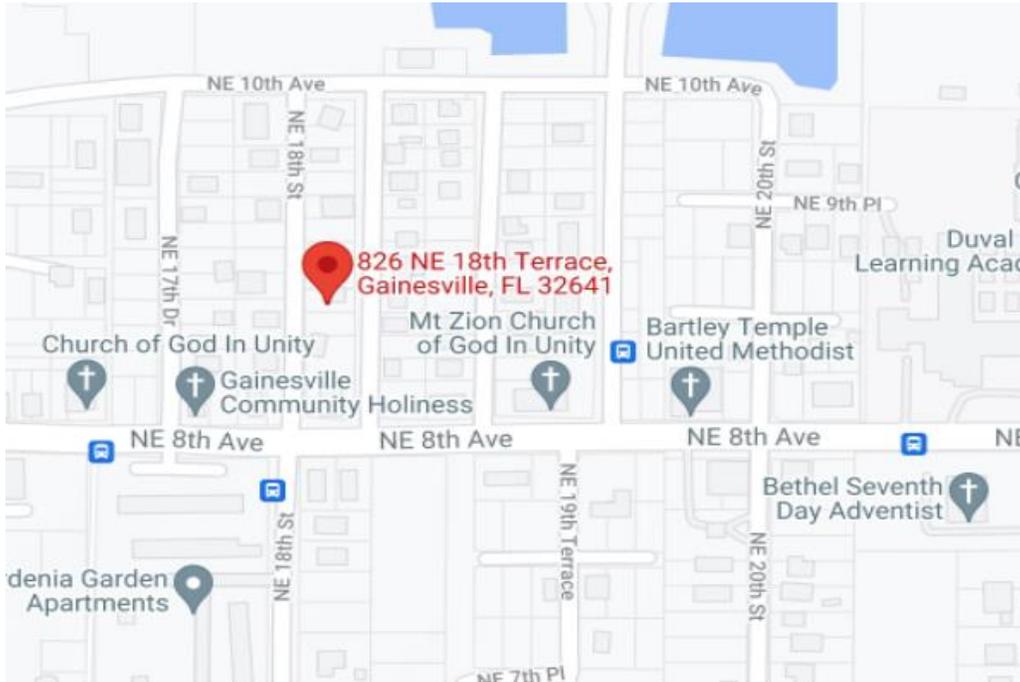
Neighborhood Enhancement Division

P.O Box 490, Station 10A
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www.cityofgainesville.org

**CITY v. SMALL & SMALL & SMALL HEIRS
CE-20-01913 / 2020-166
826 NE 18TH TER / Tax Parcel No. 10733-054-000**

Notice of Violation:	October 12, 2020
Description of Violation:	16-19 Dangerous Building
CEB Order Signed:	December 18, 2020
CEB Date Given to Comply:	December 28, 2020
Affidavit of Non-Compliance Inspection Date:	January 8, 2021
Lien Recorded On:	January 14, 2021 in Book 4850, Page 936
Affidavit of Compliance Inspection Date:	March 30, 2021
Accumulated Fine:	\$9,000 (90 days @ \$100.00)
Assessed Costs:	\$120.35 paid
SMH Reduction/Rescission:	August 12, 2021
SMH Recommendation:	Reduce the remaining lien amount to \$0.00 (Zero).
Staff Recommendation:	The City Commission accept the Magistrate's ruling and Reduce the lien to \$0.00 (Zero).

Map of Property Location



SUMMARY:

This item is presented for the City Commission to consider a request for a lien reduction or rescission for 826 NE 18TH Ter. On September 1, 2020, a Notice of Violation was issued for violation of Sec. 16-19 hazardous lands due to an accumulation of trash that was illegally dumped on the vacant lot. As the violation was not corrected by cleaning the lot by September 30, 2020, the case was heard on December 10, 2020 by the Magistrate and a Guilty verdict was obtained. The violation was to be corrected by December 28, 2020 for a fine of \$100 a day be assessed plus administrative costs of \$120.35.

The violation was not corrected and fines ran for 90 days until compliance was achieved, accumulating a total of \$9,000.

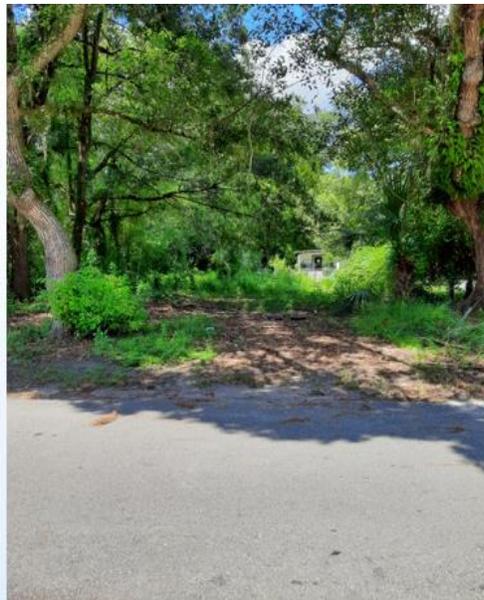
On May 4, 2021, Betty Darity, one of the heirs of the property, requested a reduction/rescission of the accumulated fines. Her requested is for a total rescission of the fines. Ms. Darity attended a telephone conference (since she lives in Miami), with Pete Backhaus, Neighborhood Enhancement Manager and Andrews Persons, Planning and Development Director. Ms. Darity advised that she is 81 years old and no longer able to maintain the property since she does not live in town, and the person she had doing it is unable to continue to do so.

She mentioned possibly donating the lot to the City and we discussed that and referred it to the City's Land Rights Use Office. The Office is working with her regarding the property and the administrative costs have been paid and the property is in compliance with City Ordinances.

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 zero. Staff is recommending the Commission accept the Magistrate's recommendation for reduction based on the nature of the original violation, the correction of the violation and the effort to improve the property.



11/9/20 – Photo was taken by Sam Norris 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.

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 January 14, 2021, Book 4850, Page 936, in the Office of the Clerk of Court of Alachua, County, Florida, Public Records of Alachua County, Florida. Said lien arise from the Order Imposing Fine(s) and Costs entered by the City of Gainesville Code Enforcement Special Magistrate in Case Number CE-20-01913 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 Small & Small & Small Heirs, and all successors in interest.

Parcel No.: 10733-054-000
Legal Description: PINE RIDGE PB D-32 LOT 54 DB 292/364
Address: 826 NE 18TH TER, GAINESVILLE

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.

(Seal)

Notary Public, State of Florida
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