

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Satisfaction of Code Enforcement Lien – Case No. 95-32-CEB – Joel Choate, 601 Balsa Drive, Altamonte Springs

**DEPARTMENT:** Planning and Development **DIVISION:** Planning

**AUTHORIZED BY:** Dori L. DeBord **CONTACT:** April Boswell **EXT.** 7339

<b>Agenda Date</b> <u>2/27/07</u> <b>Regular</b> <input type="checkbox"/> <b>Consent</b> <input checked="" type="checkbox"/> <b>Work Session</b> <input type="checkbox"/> <b>Briefing</b> <input type="checkbox"/>
<b>Public Hearing – 1:30</b> <input type="checkbox"/> <b>Public Hearing – 7:00</b> <input type="checkbox"/>

**MOTION/RECOMMENDATION:**

Approve the Satisfaction of Lien in the amount of \$500.00, Case No. 95-32-CEB, on 601 Balsa Drive, Altamonte Springs, Tax Parcel # 21-21-29-5CN-0000-1770, owned by Joel V. Choate, and authorize the Chairman to execute a Satisfaction of Lien.

Commissioner Van der Weide – District 3 April Boswell – Planning Manager

**BACKGROUND:**

On June 8, 1995, the Code Enforcement Board issued its Findings of Facts, Conclusion of Law and Order. This Order required the Respondent, Joel V. Choate, to comply with County Code on or before July 7, 1995, by removing the trash and debris and cease parking trucks larger than a pick up truck and to cease having construction materials in the trucks on his property, in violation of Seminole County Land Development Code, Section 30.202 and Chapter 95, Section 95.4, as defined in Section 95.3(g). The timeline is below:

June 8, 1995	<u>Findings of Fact, Conclusions of Law and Order, setting compliance date of July 7, 1995 or a fine of \$50.00 per day imposed if compliance not achieved</u>
June 14, 1995	<u>Affidavit of Compliance, filed by the Code Enforcement Officer, indicating compliance on June 8, 1995</u>

<b>Reviewed by:</b> _____ <b>Co Atty:</b> <u>[Signature]</u> <b>DFS:</b> _____ <b>Other:</b> _____ <b>DCM:</b> _____ <b>CM:</b> <u>[Signature]</u>  <b>File No.</b> <u>cpdp01</u>
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August 30, 1996	<u>Affidavit of Repeat Violation</u> filed by the Code Enforcement Officer, indicating a repeat violation on August 27, 1996
October 16, 1996	<u>Affidavit of Compliance After Repeat Violation</u> filed by the Code Enforcement Officer, indicating compliance on October 15, 1996
August 28, 1997	Code Enforcement Board issued an <u>Order Imposing Penalty/Lien</u> , reducing the accrued fine from \$2,500.00 (50 days at \$50.00 per day – August 26 through October 14, 1996) to \$500.00
January 2, 2007	Seminole County received payment in the amount of \$500.00. Copies of the check and receipt are attached.

### **STAFF RECOMMENDATION**

Approve and authorize the Chairman to execute a Satisfaction of Lien for Code Enforcement Board Case #95-32-CEB, Tax Parcel # 21-21-29-5CN-0000-1770 in the amount of \$500.00.

Attachments: Findings of Fact, Conclusions of Law and Order (6/8/95)  
Affidavit of Compliance (6/14/95)  
Affidavit of Repeat Violation (8/30/96)  
Affidavit of Compliance After Repeat Violation (10/16/96)  
Order Imposing Penalty/Lien (8/28/97)  
Check for Payment (12/29/06)  
Receipt for Payment (1/2/07)  
Property Appraiser Database Information (1/23/07)  
Satisfaction of Lien

CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA  
CASE NO. 95-32-CEB

SEMINOLE COUNTY, a political  
subdivision of the State of  
Florida

Petitioner,

vs.

JOEL V CHOATE,

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

THIS CAUSE came on for public hearing before the Board on the 25th day of May, 1995, after due notice to Respondent. The Board, having heard testimony under oath and received evidence issues its Findings of Fact, Conclusions of Law, and Order as follows:

I. FINDINGS OF FACT AND CONCLUSIONS OF LAW:

The Respondent is the owner of record of the property, in possession or control of the property, and in violation of Seminole County Code Section 30.202 and 95.3.

II. ORDER

The Respondent shall correct the violation on or before July 7, 1995. In order to correct the violation, the Respondent shall take the following remedial actions:

1. Remove trash and debris on the property.
2. Trucks larger than a pick up truck shall not be permitted to park at the property or to have any construction material in trucks.

If the Respondent does not comply with this Order, a fine of \$50.00 will be imposed for each day the violation continues, or is repeated after compliance, past July 7, 1995. The Respondent is further ordered to contact the Seminole County code inspector to arrange for an inspection of the property to verify compliance. Any fine imposed hereunder shall continue until such time as the code inspector inspects the property and establishes the date of compliance.

DONE AND ORDERED this 8th day of June, 1995, in Sanford, Seminole County, Florida.

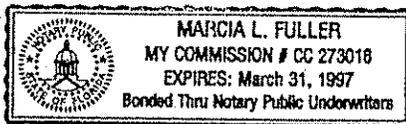
CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

By Jean Metts  
Chairman

STATE OF FLORIDA            )  
                                          ) ss.  
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 8th day of June, 1995, by Jean Metts, who is personally known to me and who did not take an oath.

Marcia L. Fuller  
Marcia L. Fuller  
Notary Public in and for the  
County and State aforementioned.



My Commission Expires \_\_\_\_\_

CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political  
subdivision of the State of  
Florida,

Petitioner,

vs. JOEL V CHOATE

Case No. 95-32-CEB

Respondent.

AFFIDAVIT OF COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared  
PAMELA TAYLOR, Code Inspector for CURRENT  
PLANNING, who, after being duly sworn, deposes and  
says:

1. That On MAY 25, 1995, the Board held a public hearing and issued its Order in the above-styled matter..
2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before JULY 7, 1995.
3. That a re-inspection was performed and the Respondent was in compliance On JUNE 8, 1995.
4. That the re-inspection revealed that the corrective action ordered by the Board has been taken.

**FURTHER AFFIANT SAYETH NOT.**

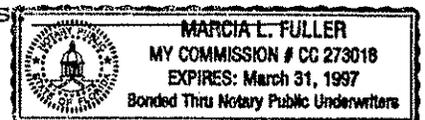
DATED this 14th day of JUNE, 1995.

Pamela Taylor  
Signature of Code Inspector

STATE OF FLORIDA )  
COUNTY OF SEMINOLE )

The foregoing instrument was acknowledged before me this 14th day of JUNE, 1995, by Pamela Taylor, who is personally known to me ~~or who has produced~~ as identification and who did take an oath.

Marcia L Fuller  
Print Name MARCIA L FULLER  
Notary Public in and for the County  
and State Aforementioned  
My commission expires



CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political  
subdivision of the State of Florida,

CEB NO. 95-32-CEB

Petitioner,  
vs.

**JOEL V. CHOATE**

Respondent.

**AFFIDAVIT OF REPEAT VIOLATION**

BEFORE ME, the undersigned authority, personally appeared **PAMELA TAYLOR**, Code Inspector for **CURRENT PLANNING** who, after being duly sworn, deposes and says:

1. That on **MAY 25, 1995** the Board held a public hearing, found a violation of a County Code and issued its Order in the above-styled matter.
2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before **JULY 7, 1995**.
3. That a re-inspection was performed on **JUNE 8, 1995**.
4. That the re-inspection revealed that the corrective action ordered by the Board had been taken.
5. That an Affidavit of Compliance was filed on **JUNE 14, 1995**.
6. That an additional re-inspection was performed on **AUGUST 27, 1996**.
7. That the violation found by the Board on **May 25, 1995** has been repeated in that the the trucks larger than a pick up and business equipment are on the subject property.

**FURTHER AFFIANT SAYETH NOT.  
DATED THIS 30th DAY OF AUGUST, 1996.**

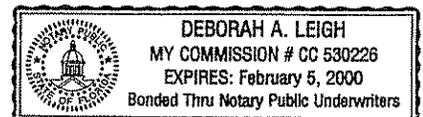
*Pamela Taylor*  
\_\_\_\_\_  
CODE INSPECTOR

STATE OF FLORIDA            )  
COUNTY OF SEMINOLE    )

The foregoing instrument was acknowledged before me this 30th day of August, 1996 by Pamela Taylor, who is personally known to me and who did take an oath.

*Deborah A. Leigh*  
\_\_\_\_\_  
Notary Public in and for the County and  
State Aforementioned  
My commission expires:

AFFIDRPT.VIO



CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political  
subdivision of the State of  
Florida,

Case No. 95-32-CEB

Petitioner,

vs.

JOEL V. CHOATE

Respondent /

AFFIDAVIT OF COMPLIANCE  
(Following a Repeat Violation)

BEFORE ME, the undersigned authority, personally appeared **Pamela Taylor**, Code Inspector for **Current Planning**, who, after being duly sworn, deposes and says:

1. That on **May 25, 1995**, the Board held a public hearing and issued its Order in the above styled matter.
2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before **July 7, 1995**.
3. That a re-inspection was performed and the Respondent was in compliance on **JUNE 8, 1995**.
4. That subsequent to the foregoing finding of compliance, a further REINSPECTION of the subject property was made on, **AUGUST 27, 1996**. The Respondent was at that time no longer in compliance with the Order of **MAY 25, 1995** by having repeated the original violation.
5. That the most recent REINSPECTION on **OCTOBER 15, 1996** revealed that additional corrective action had eliminated the repeat violation and that the subject property was once again found to be in compliance as of **OCTOBER 15, 1996**.

FURTHER AFFIANT SAYETH NOT.

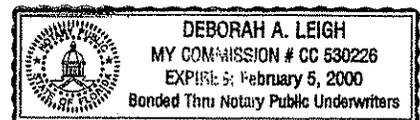
DATED this **16TH** day of **OCTOBER, 1996**.

STATE OF FLORIDA       )  
COUNTY OF SEMINOLE   )

Pamela Taylor  
CODE INSPECTOR

The foregoing instrument was acknowledged before me this **16TH** day of **OCTOBER, 1996**, by **PAMELA TAYLOR**, who is personally known to me and who did take an oath.

Deborah A. Leigh  
Notary Public in and for the County  
and State Aforementioned  
My commission expires:



**CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA**

OFFICIAL RECORDS  
BOOK 3321 PAGE 0366  
SEMINOLE CO. FL  
121194  
MARRYNNE MORSE  
CLERK OF CIRCUIT COURT  
SEMINOLE COUNTY, FL

**SEMINOLE COUNTY**, a political  
subdivision of the State of Florida,

Case No. 95-32-CEB

Petitioner,

vs.

**JOEL V CHOATE**,

Respondent.

**ORDER IMPOSING PENALTY/LIEN**

**THIS CAUSE** came on for public hearing before the Board on the 28th day of August, 1997, after due notice to Respondent. The Board, having heard testimony under oath, and received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order required Respondent to take certain corrective action by a time certain, more specifically set forth in that Order.

An Affidavit of Repeat Violation bearing the date of August 27, 1996, has been filed with the Board by the Code Inspector, which Affidavit certified under oath that the required corrective action had not been taken as ordered.

An Affidavit of Compliance bearing the date of October 15, 1996, has been filed with the Board by the Code Inspector, which Affidavit certified under oath that the required corrective action has been taken as ordered.

Accordingly, it having been brought to the Board's attention that Respondent's have complied with the Order dated May 25, 1995, and a fine of TWO THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$2,500.00) having accrued,

The Board, at the meeting of August 28, 1997, did reduce the amount of TWO THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$2,500.00) to the amount of FIVE HUNDRED AND NO/100 DOLLARS, it is hereby,

**ORDERED** that the Respondent shall pay to Seminole County the FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) fine for the Respondent's failure to comply with the Order dated May 25, 1995. This Order shall be recorded in the Public Records of Seminole County, Florida, and shall constitute a

RECORDED & VERIFIED  
1997 NOV -4 PM 2:49

RETURN TO SANDY WALL

lien in favor of Seminole County against the following described property (pursuant to Section 162.09, Florida Statutes) in the amount of the accumulated fine:

Lot 177, Trailwood Estates Section 1, Section 21, Township 21, Range 29, Plat Book 16, Page 28, Public Records of Seminole County, Florida (601 Balsa Dr).

**FURTHER ORDERED** that, pursuant to Section 162.09, Florida Statutes, if compliance is subsequently attained, but the violation is repeated, an Order may be issued by the Board without a hearing,

**DONE AND ORDERED** this 28th day of August, 1997, in Sanford, Seminole County, Florida.

**CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA**

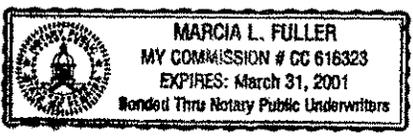
By Jean Metts  
Chairman

OFFICIAL RECORDS  
BOOK PAGE  
321 0367  
SEMINOLE CO. FL

STATE OF FLORIDA )  
COUNTY OF SEMINOLE )

The foregoing instrument was acknowledged before me this 5th day of September, 1997, by Jean Metts, who is personally know to me and who did not take an oath.

Marcia L Fuller  
Marcia L Fuller  
Notary Public in and for the County  
and State Aforementioned.  
My Commission Expires: \_\_\_\_\_



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order Imposing Penalty/Lien has been furnished by Certified Mail, Return Receipt Requested, to Respondent this 5th day of September, 1997.

By Marcia L Fuller  
Clerk to the Board

Lien.CEB  
96-13-CEB(MCD,INC)



Professional Title & Escrow, LLC

File : 20060369

Buyer : Joel Vance Choate

Seller :

Legal Description : Lot 177, TRAILWOOD ESTATES - SEC. ONE

Property Address : 601 Balsa Dr. Altamonte Springs, FL 32714

(1303) BCC Tax Lien Payoff - \$500.00

Wachovia Bank, N.A.

63-751/631

1-8875

Date

12/28/2006

12-29-06P02:40 RCVD

Payable to: BCC

THE FACE OF THIS DOCUMENT CONTAINS A VOID PANTOGRAPH. ADDITIONAL SECURITY FEATURES DETAILED ON BACK.

Professional Title & Escrow, LLC

Escrow Account  
2605 W. Lake Mary Blvd, Suite 107  
Lake Mary, FL 32746  
(407) 330-1996

Wachovia Bank, N.A.

63-751/631  
Longwood, Florida 32750

1-8875

Date

12/28/2006

PAY Pay Five Hundred and 00/100 Dollars

\$ \*\*\*\*\*\$500.00

TO THE ORDER OF

BCC

Void after 90 days

3) BCC Tax Lien Payoff - \$500.00  
20060369

⑈ 188 75 ⑈ ⑆ 06 3 10 7 5 1 3 ⑆ 2000026035060⑈

RECEIPT

No 66722

SEMINOLE COUNTY, FLORIDA

Date 1/2/07

Received from Code ENFORCEMENT

Address \_\_\_\_\_

Description PROFESSIONAL TITLE + ESCROW

Account Number	Amount	Description
-----	<u>500.00</u>	<u>payoff -</u>
-----	-----	<u>for</u>
-----	-----	<u>JOEL CHOATE</u>
-----	-----	-----
-----	-----	-----

Total Amount 500.00

Board of County Commissioners

Check No. 1-2875 Cash \_\_\_\_\_

By DUDLEY

<b>PARCEL DETAIL</b> DAVID JOHNSON, CFA, ASA <b>PROPERTY APPRAISER</b> SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508																														
<b>GENERAL</b> Parcel Id: 21-21-29-5CN-0000-1770 Owner: CHOATE JOEL V Mailing Address: 601 Balsa Dr City, State, Zip Code: ALTAMONTE SPRINGS FL 32714 Property Address: 601 Balsa Dr Altamonte Springs 32714 Subdivision Name: TRAILWOOD ESTATES SEC 1 Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (1994) Dor: 01-SINGLE FAMILY		<b>2007 WORKING VALUE SUMMARY</b> Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$100,572 Depreciated EXFT Value: \$0 Land Value (Market): \$28,800 Land Value Ag: \$0 Just/Market Value: \$129,372 Assessed Value (SOH): \$65,680 Exempt Value: \$25,000 Taxable Value: \$40,680 Tax Estimator																												
<b>SALES</b> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>08/1986</td> <td>01771</td> <td>0234</td> <td>\$53,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1984</td> <td>01527</td> <td>0424</td> <td>\$49,900</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1972</td> <td>00920</td> <td>0421</td> <td>\$17,500</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	08/1986	01771	0234	\$53,500	Improved	Yes	WARRANTY DEED	02/1984	01527	0424	\$49,900	Improved	Yes	WARRANTY DEED	01/1972	00920	0421	\$17,500	Improved	Yes	<b>2006 VALUE SUMMARY</b> Tax Value (without SOH): \$1,697 2006 Tax Bill Amount: \$625 Save Our Homes (SOH) Savings: \$1,072 2006 Taxable Value: \$38,767 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																								
WARRANTY DEED	08/1986	01771	0234	\$53,500	Improved	Yes																								
WARRANTY DEED	02/1984	01527	0424	\$49,900	Improved	Yes																								
WARRANTY DEED	01/1972	00920	0421	\$17,500	Improved	Yes																								
<b>LAND</b> <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>28,800.00</td> <td>\$28,800</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	28,800.00	\$28,800	<b>LEGAL DESCRIPTION</b> PLATS: <input type="text" value="Pick..."/> LEG LOT 177 TRAILWOOD ESTATES SEC 1 PB 16 PG 28																
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																									
LOT	0	0	1.000	28,800.00	\$28,800																									
<b>BUILDING INFORMATION</b> <table border="1"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Living SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1972</td> <td>6</td> <td>1,053</td> <td>1,419</td> <td>1,053</td> <td>CONC BLOCK</td> <td>\$100,572</td> <td>\$120,086</td> </tr> </tbody> </table> Appendage / Sqft: OPEN PORCH FINISHED / 42 Appendage / Sqft: GARAGE FINISHED / 324 NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished Permits		Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1972	6	1,053	1,419	1,053	CONC BLOCK	\$100,572	\$120,086									
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																					
1	SINGLE FAMILY	1972	6	1,053	1,419	1,053	CONC BLOCK	\$100,572	\$120,086																					
NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																														

**SATISFACTION OF LIEN  
AS TO PARTICULAR PARCEL**

**THIS** instrument disclaims and releases the lien imposed by the Order Imposing Penalty/ Lien, issued by the Seminole County Code Enforcement Board in Case No. 95-32-CEB filed against JOEL V. CHOATE, and filed by and on behalf of Seminole County, on August 28, 2997, and recorded in Official Records Book 03321, Pages 0366 - 0367, of the Public Records of Seminole County, Florida, against the following described real property:

LEG LOT 177 TRAILWOOD ESTATES SEC 1  
PB 16 PG 28

The undersigned is authorized to and does hereby disclaim and release the lien as to the whole of the above-described real property, and consents that the same be discharged of record.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
MARYANNE MORSE  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida

By: \_\_\_\_\_  
CARLTON D. HENLEY, Chairman

Date: \_\_\_\_\_

For the use and reliance  
of Seminole County only.  
Approved as to form and  
legal sufficiency.

As authorized for execution by the  
Board of County Commissioners at their  
2/27/07 regular meeting.

\_\_\_\_\_  
County Attorney