

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Code Enforcement Lien, Case # 00-12-CEB, Request for Reduction of Penalty – Wilbert H. McCullough, owner, 2024 McCarthy Ave., Sanford

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

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** April Boswell *AB* **EXT.** 7339

<b>Agenda Date</b> <u>08/22/06</u> <b>Regular</b> <input checked="" type="checkbox"/> <b>Consent</b> <input 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:**

(A) Waive the Code Enforcement Board lien which totals \$112,300.00, on the property located at 2024 McCarthy Avenue, Sanford - Wilbert H. McCullough, owner; Case # 00-12-CEB and authorize the Chairman to execute the Satisfaction of Lien (Staff Recommendation); or

(B) Approve a reduction to the Code Enforcement Board lien from \$112,300.00 to **\$648.84**, which represents the estimated administrative costs for processing Case # 00-12-CEB, on the property located at 2024 McCarthy Avenue, Sanford – Wilbert H. McCullough, owner; and require these costs to be paid within 30 days or the lien will revert to its original amount (\$112,300.00) and upon payment in full, authorize the Chairman to execute the Satisfaction of Lien; or

(C) Approve a reduction to the Code Enforcement Board lien which totals \$112,300.00, on the property located at 2024 McCarthy Avenue, Sanford - Wilbert H. McCullough, owner; Case # 00-12-CEB, to an amount set by the Board of County Commissioners and require the reduced amount to be paid within a 6-month time period, or the lien will revert to its original amount (\$112,300.00) and upon payment in full, authorize the Chairman to execute the Satisfaction of Lien; or

(D) Deny a reduction to the Code Enforcement Board lien in the amount of \$112,300.00 on the property located at 2024 McCarthy Avenue, Sanford, - Wilbert H. McCullough, owner; Case # 00-12-CEB, and require this amount to be paid within a 6-month time period, and upon payment in full, authorize the Chairman to execute the Satisfaction of Lien.

District 5 – Commissioner Carey

April Boswell – Assistant Planning Manager

**BACKGROUND:**

In response to a complaint, on July 24, 1999, the Code Enforcement Officer observed the following violation located at 2024 McCarthy Avenue, Sanford: Uncultivated vegetation in excess of 24" in height; located within 75' of a structure, in violation of Seminole County Code, Section 95.4, as defined in Section 95.3 (h). The timeline on this violation is below:

Reviewed by:	
Co Atty:	<i>KFT</i>
DFS:	
Other:	
DCM:	<i>AB</i>
CM:	<i>CF</i>
File No.	<u>rpdp09</u>

<b>DATE</b>	<b>ACTION</b>	<b>RESULT</b>
July 24, 1999 and September 17, 1999	Notices of Violation issued to Respondent.	Violation remains.
December 16, 1999	Statement of Violation and Request for Hearing filed by Code Enforcement Officer.	Hearing scheduled for February 24, 2000.
January 11, 2000	Notice of Hearing mailed to Respondent.	Notice sent via certified mail to 2923 Pintail Court instead of the address on record for the property owner (3923 Pintail Court).
February 14, 2000	Notice of Hearing Posted on Respondent's property.	
February 24, 2000	Code Board Hearing – Findings of Fact, Conclusions of Law and Order.	Order entered by Code Board giving a compliance date of March 14, 2000, with a fine of \$50.00 per day if violation is not corrected by March 14, 2000. The Respondent was not present at this hearing.
March 15, 2000	Re-inspection and Affidavit of Non-Compliance filed by Code Enforcement Officer	Violation remains.
March 24, 2000	Affidavit of Non-Compliance mailed to Respondent with Courtesy letter advising that if Respondent does not request a hearing to contest the Affidavit of Non-Compliance within 10 days, a hearing will be held on April 27, 2000 to impose a lien.	Affidavit and Courtesy letter sent via certified mail to 2923 Pintail Court instead of the address on record for the property owner (3923 Pintail Court).
April 27, 2000	Code Board Hearing – Order Finding Non-Compliance and Imposing Fine/Lien.	Order entered by Code Board imposing a lien in the amount of \$3,250.00 for 65 days of non-compliance, with the fine continuing to accrue at \$50.00 per day until compliance is obtained. The Respondent was not present at this hearing.
May 18, 2000	Code Board Hearing – Order Finding Non-compliance and Imposing Fine/Lien.	Order entered by Code Board imposing a lien in the amount of \$3,250.00 for 65 days of non-compliance, with the fine continuing to accrue at \$50.00 per day until compliance is obtained. The Respondent was not present at this hearing.
May 15, 2006	A re-inspection shows violation corrected.	Affidavit of Compliance filed by the Code Enforcement Officer.
May 24, 2006	Affidavit of Compliance mailed to Respondent.	Affidavit received and signed for by the Respondent on June 1, 2006. The address on record is now the subject property, 2024 McCarthy Avenue.
May 31, 2006	Request for Reduction of Penalty received from Respondent.	*Wilbert H. McCullough.
June 22, 2006	Corrected Order Finding Non-Compliance and Imposing Fine/Lien executed by Code Enforcement Board.	Corrected Order filed stating a fine of \$2,200.00 (total accrued fine up until hearing) is imposed instead of \$3,250.00 as previously filed. 44 days of non-compliance from March 15, 2000 through April 27, 2000 with the fine continuing to accrue at \$50.00 per day.
June 23, 2006	Corrected Order Finding Non-Compliance and Imposing Fine/Lien mailed to Respondent.	Corrected Order received and signed for by the Respondent on June 28, 2006

<sup>1</sup>The Respondent, Wilbert H. McCullough, is requesting that the lien imposed against the property on April 27, 2000, be reduced stating that he was not aware that there was non-compliance or a lien on his property until he tried to refinance his home in May of 2006.

The Board considers the individual facts of each case when determining whether to reduce a lien. In addition, the Board adopted the following guidelines on February 9, 1999 to use when considering lien reductions:

1. If an individual has acquired a property in which the lien was recorded and the individual bought the property with this knowledge, a waiver or reduction in lien should not be granted. In such cases, the lien should have been considered in reaching a purchase price.
2. If a lien is not considered when a title insurance policy is issued, a reduction of the lien to provide relief to a title insurer should not be granted. To do so would place the County in the position indemnifying an insurance company against its losses, which are reflected in premium charges.
3. If a lien has previously been reduced, and another request is received for a lien reduction, whether from the original property owner or new owner, a reduction or waiver should not be granted. If the BCC grants relief to a violator, its action should be final and conclusive.
4. When considering a request and in developing a recommendation to the BCC, staff should evaluate the amount of the lien compared to the value of the property and the actions the violator did or did not take in attempting to resolve the code violation. Per the Property Appraiser information, the assessed value of the property is **\$53,105.00**. The lien totals **\$112,300.00**.
5. When liens are satisfied as a result of either full payment or reduced/eliminated payment as directed by the BCC, the lien satisfaction instrument will be provided to the property owner who shall be responsible for recording the instrument in the land records.

**STAFF RECOMMENDATION:**

Staff recommends that the Board waive the lien in the amount of \$112,300.00 on the property located at 2024 McCarthy Avenue, Sanford, based on the following facts:

1. The Respondent stated in his Request for Reduction that he was not aware of the code violation on his property. Records show that the Notice of Violation and the Notice of Hearing sent to the property owner in January 2000, and the Affidavit of Non-Compliance sent to the property owner in March 2000, were sent to the incorrect address (2923 Pintail Court instead of 3923 Pintail Court, Orlando, Florida).
2. In October 2000, construction was completed on the subject property, where the Respondent now resides. It was not until the Respondent sought to refinance the property that he became aware of the lien.

Attachments: Findings of Fact, Conclusions of Law and Order (2/24/00)  
Affidavit of Non-Compliance (3/15/00)  
Order Finding Non-Compliance and Imposing Fine/Lien (4/27/00)  
Order Finding Non-Compliance and Imposing Fine/Lien (5/18/00)  
1999 Property Appraiser Database Information  
Affidavit of Compliance (5/15/06)  
Request for Reduction of Penalty (5/31/06)  
Exhibits from Respondent included in Request for Reduction of Penalty  
Corrected Order Finding Non-Compliance and Imposing Fine/Lien (6/22/06)  
2006 Property Appraiser Database Information  
Estimated Costs for processing Case # 00-12-CEB (Planning Division and  
SCSO combined)  
Estimated Costs for processing Case # 00-12-CEB (SCSO)  
Satisfaction of Lien As To A Particular Parcel

503724

2000 MAR -3 AM 7:59

CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

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

CASE NO. 00-12-CEB

Petitioner,

vs.

WILBERT H. McCULLOUGH  
2923 PINTAIL COURT  
ORLANDO, FLORIDA 32822

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Respondent is in violation of Section 95.4 of the Seminole County Code, as defined in 95.3(h) of the Seminole County Code based on the following findings:

(a) The Respondent is the owner of record of the property (Tax Parcel ID #35-19-30-517-1000-0200) located at 2024 McCarthy Avenue, Sanford, Florida, located in Seminole County and legally described as follows:

LEG LOT 20 BLK 10 LOCKHARTS SUBD PB 3 PG 70

(b) The Respondent is in possession/control of the property.

(c) On July 24, 1999, a Seminole County Code Inspector inspected the property and found uncultivated vegetation in excess of 24" in height and within 75' of a dwelling.

(d) On July 24, 1999, Respondent was provided notice of the violation and given until August 9, 1999 to correct the violation.

(e) On September 8, 1999, a Seminole County Code Inspector reinspected the property and found that the violation remained on the property.

(f) On September 17, 1999, Respondent was provided notice of the violation and given until October 1, 1999 to correct the violation.

(g) On November 10, 1999 a Seminole County Code Inspector reinspected the property and found that the violation remained on the property.

The Respondent shall correct the violation by March 14, 2000. In order to correct the violation, the Respondent shall take the following remedial action:

**REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND WITHIN 75' OF A STRUCTURE FROM THE PROPERTY.**

If the Respondent complies with this Order by March 14, 2000, the Chair of the Code Enforcement Board, acting on behalf of the Code Enforcement Board, shall issue an order confirming the compliance and such order shall be recorded in the official land records of Seminole County.

If the Respondent does not comply with this order by March 14, 2000, then the Code Enforcement Division, acting consistent with the procedures set forth in Section 162.12, Florida Statutes, shall provide to the Respondent a copy of the Code Inspector's affidavit of non-compliance. The letter accompanying the

SEMINOLE CO., FL

3809 1873

OFFICIAL RECORDS  
BOOK PAGE

affidavit, or the affidavit itself, shall state that the Respondent has ten (10) days from receipt to request a hearing to contest the finding of non-compliance.

If the Respondent fails to timely request a hearing to contest the determination of non-compliance with this order, then the Chair of the Code Enforcement Board, upon notification by the Code Inspector of such non-compliance, shall issue an order confirming the non-compliance and ordering the Respondent to pay a fine of \$50.00 for each day the violation continues past that date. Such order shall be recorded in the official land records of Seminole County and shall constitute a lien against the property.

If the Respondent timely requests a hearing, the Code Enforcement Board shall hold a hearing at which compliance with this order is the sole issue. At the conclusion of such hearing, the Code Enforcement Board shall issue either 1) an order of compliance or 2) an order of non-compliance ordering the violator to pay the accrued fine for each day the violation continued past the date set for compliance and a fine of \$50.00 for each day the violation continues. Either such order shall be recorded in the official land records of Seminole County.

The Respondent must contact the Code Inspector to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue until such time as the Code Inspector inspects the property and establishes the date of compliance.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 24<sup>th</sup> day of February, 2000, in Seminole County, Florida.

CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

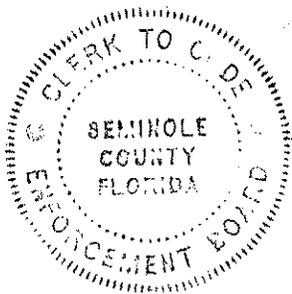
*Jean Metts*  
\_\_\_\_\_  
CHAIR

STATE OF FLORIDA            )  
COUNTY OF SEMINOLE        )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of February, 2000, by Jean Metts, who is personally known to me.

*Marcia L. Fuller*  
\_\_\_\_\_  
Marcia L. Fuller  
Notary Public to and for the  
County and State aforementioned.  
My Commission Expires:

A:\mccullough.doc



3809 1874  
SEMINOLE CO., FL  
OFFICIAL RECORDS  
BOOK PAGE

CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

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

CASE NO: 00-12-CEB

Petitioner,

vs.

WILBERT H. MCCULLOUGH,

Respondent.

3837  
0779  
SEMINOLE CO., FL

AFFIDAVIT OF NON-COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared James Hitchcock, Code Inspector for **PLANNING DIVISION**, who after being duly sworn, deposes and says:

1. That on February 24, 2000, 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 March 14, 2000.
3. That a re-inspection was performed on March 15, 2000.
4. That the re-inspection revealed that the corrective action ordered by the Board has not been taken in that uncultivated vegetation greater than 24" remains within 75' of a structure.

FURTHER AFFIANT SAYETH NOT.

DATED this 15<sup>th</sup> day of March 2000.

*James Hitchcock*  
Signature of Code Inspector

MARYANNE MORSE  
CLERK OF CIRCUIT COURT  
525966

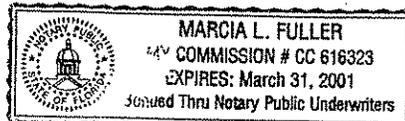
STATE OF FLORIDA )  
COUNTY OF SEMINOLE )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of March 2000, by James Hitchcock, who is personally known to me and who did take an oath.

*Marcia L Fuller*  
Notary Public in and for the County  
and State Aforementioned  
My commission expires:

2000 APR 24 AM 8:07  
SEMINOLE COUNTY, FL  
RECORDED & VERIFIED

AFFNON.COM



567224

2000 JUL 26 AM 8:17

CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

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

CASE NO. 00-12-CEB

Petitioner,

vs.

WILBERT H MCCULLOUGH

Respondent.

**ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN**

The Respondent is the owner of record of the property (Tax Parcel ID #35-19-30-517-1000-0200) located at 2024 McCarthy Ave, Sanford, located in Seminole County and legally described as follows:

LEG LOT 20 BLK 10 LOCKHARTS SUBD PL3 PG 70

This case came on for public hearing before the Code Enforcement Board of Seminole County on the 24<sup>TH</sup> day of February, 2000, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order found Respondent in violation of Section 95.4 as defined in 95/3(h) of the Seminole County Code.

Said Order required Respondent to take certain corrective action by March 14, 2000..

Said Order stated that a fine of \$50.00 per day would be imposed if Respondent did not take certain corrective action by the date set for compliance.

An Affidavit of Non-Compliance bearing the date of March 15, 2000, has been filed with the Board by the Code Inspector, which Affidavit certifies under oath that the required action has not been taken as ordered.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated February 24, 2000, the Board orders that a fine of \$3,250.00 (total accrued fine up until hearing) is imposed against the property for each day the violation has continued past the date set for compliance and a fine of \$50.00 per day is ordered against the property for each day the violation continues past April 27, 2000.

**The Respondent must contact the Code Inspector to arrange for an inspection of the property to verify compliance. The fine imposed shall continue until such time as the Code Inspector inspects the property and establishes the date of compliance.**

OFFICIAL RECORDS  
BOOK PAGE  
3892 0777  
SEMINOLE CO., FL

This Order shall be recorded in the public records of Seminole County, Florida, and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

**DONE AND ORDERED** this 27<sup>th</sup> day of April, 2000, in Seminole County, Florida.

CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

*Jean Metts*  
CHAIR

STATE OF FLORIDA )  
COUNTY OF SEMINOLE )

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of April, 2000, by Jean Metts, who is personally known to me.

*Marcia L. Fuller*  
Marcia L. Fuller  
Notary Public to and for the  
County and State aforementioned.  
My Commission Expires:

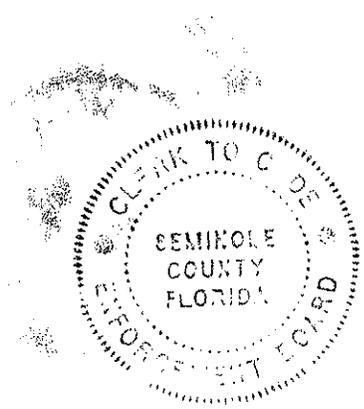
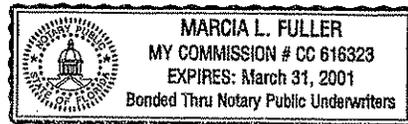


3892  
0778  
SEMINOLE CO., FL  
OFFICIAL RECORDS  
BOOK PAGE

**RECEIVED**

JUL 17 2000

CODE ENFORCEMENT,  
SEMINOLE COUNTY,



**CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA**

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

**CASE NO. 00-12-CEB**

**Petitioner,**

**vs.**

**WILBERT H MCCULLOUGH,**

**Respondent.**

OFFICIAL RECORDS  
BOOK PAGE  
3909 0001  
SEMINOLE CO., FL

**ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN**

The Respondents are the owners of record of the property (Tax Parcel ID #35-19-30-517-1000-0200) located at 2024 McCarthy Street, Sanford, Florida, located in Seminole County and legally described as follows:

**LEG LOT 20 BLK 10 LOCKHARTS SUBD PB 3 PG 70**

This case came on for public hearing before the Code Enforcement Board of Seminole County on the 24<sup>TH</sup> day of February, 2000, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order found Respondents in violation of Section 95.4 as defined in 95.3(h), of the Seminole County Code.

Said Order required Respondents to take certain corrective action by March 14, 2000.

Said Order stated that a fine of \$50.00 per day would be imposed if Respondents did not take certain corrective action by the date set for compliance.

An Affidavit of Non-Compliance bearing the date of March 15, 2000, has been filed with the Board by the Code Inspector, which Affidavit certifies under oath that the required action has not been taken as ordered.

Accordingly, it having been brought to the Board's attention that Respondents have not complied with the Order dated February 14, 2000, the Board orders that a fine of \$3,250.00 (total accrued fine up until hearing) is imposed against the property for each day the violation has continued past the

MARYANNE MORSE  
CLERK OF CIRCUIT COURT  
5797149

SEMINOLE COUNTY, FL  
RECORDED & VERIFIED  
2000 AUG 24 AM 8:01

date set for compliance and a fine of \$50.00 per day is ordered against the property for each day the violation continues past March 14, 2000.

The Respondents must contact the Code Inspector to arrange for an inspection of the property to verify compliance. The fine imposed shall continue until such time as the Code Inspector inspects the property and establishes the date of compliance.

This Order shall be recorded in the public records of Seminole County, Florida, and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

**DONE AND ORDERED** this 18<sup>th</sup> day of May, 2000, in Seminole County, Florida.

CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

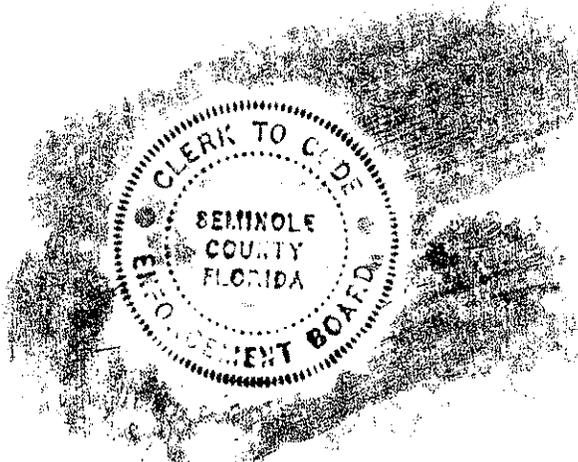
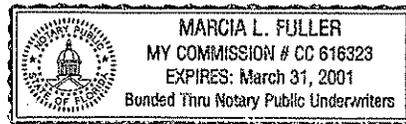
*Jean Metts*  
CHAIR Jean Metts

STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of May, 2000, by Jean Metts, who is personally known to me.

*Marcia L. Fuller*  
Marcia L. Fuller  
Notary Public to and for the  
County and State aforementioned.  
My Commission Expires:

juergens.lien



OFFICIAL RECORDS  
BOOK  
PAGE  
3909 0002  
SEMINOLE CO., FL



# SEMINOLE COUNTY

## APPRAISAL DATA

Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.

<b>Parcel Id</b>	35-19-30-517-1000-0200	<b>Tax District</b>	01-TX DIST 1 - COUNTY
<b>Owner</b>	MC CULLOUGH WILBERT H	<b>Dor</b>	00-VACANT RESIDENTIAL
<b>Address</b>	3923 PINTAIL CT	<b>Exemptions</b>	-
<b>City, State, Zip Code</b>	ORLANDO, FL 32822		
<b>Property Address</b>	2024 MC CARTHY AVE		

VALUE SUMMARY	
Value Method	Market
Number of Buildings	0
Depreciated Bldg Value	\$0
Depreciated EXFT Value	\$0
Land Value (Market)	\$2,718
Land Value Ag	\$0
Just/Market Value	\$2,718
Assessed Value (SOH)	\$2,718
Exempt Value	\$0
Taxable Value	\$2,718

SALES INFORMATION					
Deed	Date	Book	Page	Amount	Vac/Imp
QUIT CLAIM DEED	01/1997	03182	0862	\$100	Vacant
WARRANTY DEED	02/1996	03040	0777	\$100	Improved
QUIT CLAIM DEED	02/1996	03033	1710	\$100	Vacant
WARRANTY DEED	01/1977	01126	0483	\$100	Vacant

Find Comparable Sales within this Subdivision

LEGAL DESCRIPTION
LEG LOT 20 BLK 10 LOCKHARTS SUBD PB 3 PG 70

LAND INFORMATION					
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	51	100	.000	65.00	\$2,718

---

[ [New Search](#) ] [ [Find Comparable Sales within this Subdivision](#) ]

---



SEMINOLE COUNTY  
CODE ENFORCEMENT BOARD  
CASE NO. \_\_\_\_\_

**REQUEST FOR REDUCTION OF PENALTY**

BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS UNDER OATH

INSTRUCTIONS: Please fill in both sides of this form completely. Be specific when writing your statement. Please return this form to the Clerk to the Code Enforcement Board. The REQUEST FOR REDUCTION OF PENALTY will then be presented to the Board of County Commissioners at their next regularly-scheduled hearing, or as soon thereafter as possible, and you will be notified in writing of the Board's decision within 10 days after the hearing. If you are claiming medical or financial hardship, attach supporting documentation (i.e., a doctor's statement or proof of income). If you have any questions, please call the Clerk at (407) 665-7403.

Property Owner's Name: Wilbert H. McCullough

Property Address: 2024 McCarthy Ave.  
Sanford FL 32771

Phone number(s) where you can be reached during the day: 407-314-9710 or 407-314-9709

Is the property now in compliance? YES  NO   
(If No, explain in detail) \_\_\_\_\_

Are you claiming a financial hardship? YES \_\_\_\_\_ NO

Are you claiming a medical hardship? YES \_\_\_\_\_ NO

If the property owner is unable to complete this form, list the name of the person who is legally authorized to act for the property owner and his/her relationship to the property owner:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

I, Wilbert McCullough, do hereby submit this REQUEST FOR REDUCTION OF PENALTY to request a reduction in the total amount of penalty imposed and in support offer the following statement:

It shows that we had overgrown vegetation on 3-15-00.  
Our property was being built on at this time for our home  
by Jim Walter Homes. I don't see how we could have not  
been in compliance if the land was cleared and they were  
in the process of building the house. I do know the property  
next to ours was overgrown and has been many times in the  
past because we have cut the grass down ourselves to prevent  
snakes for protection of our three children playing in the  
yard. Then it was stated it was reinspected May 10, 2006  
and was in compliance. My question is I never knew  
there was a non compliance or lien on my property until  
I tried to refinance my home in May, 2006. Why do I get  
charged \$50 a day and why didn't someone come out to  
reinspect before this or get in contact with us before this.  
I will bring in as much proof as possible showing that  
our house was being built at this time. Thank you for your  
time and consideration for looking into this matter for us.

Date: 5-30<sup>th</sup>-06

Signed: Wilbert H. McCullough

Print Name: Wilbert H. McCullough

STATE OF FLORIDA  
COUNTY OF SEMINOLE

PERSONALLY appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgments, WILBERT H. McCULLOUGH, who after first being duly sworn, acknowledged before me that the information contained herein is true and correct. He/she is not personally known to me and has produced FLADL M24288870410 as identification and did take an oath.

Date: May 31, 2006

Robert Michael Holley  
Notary Public

My commission expires: 7.20.2009



RETURN COMPLETED, SIGNED AND NOTARIZED FORM TO:  
CLERK, SEMINOLE COUNTY CODE ENFORCEMENT  
1101 EAST FIRST STREET, SANFORD, FLORIDA 32771-1468



**WATER SERVICES, INC.**  
dba ELLIS WELL DRILLING



19430 Hwy. 27 N.  
Clermont, Florida 34711

909 Southern Oak Lane  
Apopka, Florida 32712

Insured  
License #7099

(352) 394-0206  
Fax (352) 394-0244

(407) 293-1931

DATE: 10-30-00  
ACCOUNT #: WS4073224017

← showing date for putting well in

Mr. & Mrs. Wilbert McCullough  
2024 McCarthy Ave.  
Sanford, FL 32771

DATE	DESCRIPTION	AMOUNT
10-30-00	4" Well 1.0 HP / 220 tank pkg.	\$2,500.00
	Overages: Drilling: none 4" Casing: none	
	Well Stats - Depth: 082' 4" Casing: 063' Static Water Table: 013' Pump: 53' on 1 1/4" galv.	
12-12	Payment received - ck # 637260	(1,600.00)
<b>Totals:</b>		<b>\$2,500.00</b>

**DUE UPON RECEIPT** 12-12 New Balance \$900.00  
Please pay this amount:

Now Accepting  
**Visa & Master Card**

Well completion report will be released upon final payment

**JIM WALTER HOMES, INC.**  
**TENDER ACKNOWLEDGMENT/COMPLETION CERTIFICATE**

JOB NAME Wilbert McCullagh DATE 10/5/00 BRANCH Otawara #10

WALK THROUGH HOUSE WITH CUSTOMER AND LIST ON THIS FORM ANY REPAIRS/COMPLETIONS NEEDED.

ITEMS NUMBERED 1, 2 AND 3 relate only to shell and partially-finished homebuyers.

- (1) Explain how to install insulation to avoid blocking ventilation.
- (2) Explain how to hang wallboard.
- (3) Explain necessary inspections if customer is handling wiring, etc. (Explain certificate of occupancy, if applicable.)
- (4) If house is on piers, explain importance of foundation ventilation in the event customer underpins.
- (5) Explain importance of ensuring water drains from underneath the house and away from the house.
- (6) Advise customer to keep attic and foundation vents open at all times.
- (7) Explain normal settling, wallboard cracks, etc.... (Refer to Warranty)
- (8) Explain G.F.I.
- (9) Advise not to turn on breaker to water heater until full of water.
- (10) Explain floor preparation to accept vinyl.
- (11) Advise on periodic cleaning of siding.
- (12) Advise on periodic caulking.
- (13) Explain how to remove window sash and how to adjust patio door.
- (14) Explain changing filter for furnace.
- (15) Advise not to paint wallboard with high gloss or semi gloss paint.
- (16) Explain adverse effect of unvented heat.
- (17) Explain roofing bond.
- (18) Explain warranty, including how to file a claim, and leave 2 claim forms (JW1202) with customer.

*Showing date of completion for house being built & ready to move in.*

This is to advise that the house I contracted to have Jim Walter Homes, Inc. build for me has either been fully-completed or, as limited by the exceptions listed below, substantially-completed and built according to contract and to my satisfaction. By signing this document, I hereby acknowledge that I have thoroughly inspected the house and that, other than those exceptions listed below, if any, there is no further work to be done nor any materials or fixtures to be supplied by Jim Walter Homes, Inc.; that Jim Walter Homes, Inc., has fulfilled its building contract; that I accept release of the house to me this 5th day of Oct, 20 00. I understand and acknowledge that as of this date I assume full possession, control and responsibility for the building site, house and contracted items. I understand that my obligation to make my monthly house payments will now begin and that my first payment will become due and payable on \_\_\_\_\_.

I further understand that my signing this document does not relieve Jim Walter Homes, Inc. from later fulfilling its contract obligations with respect to the itemized exceptions, if any, and that such additional work and/or materials will be done and/or provided as soon as practical or possible, as the case may be.

ITEMIZED EXCEPTIONS TO FULL COMPLETION OF CONTRACT (IF NONE, SO STATE):

- ① Change electrical boxes on porch light per inspector
- ② Patch drywall @ Hall Door & Trims (Bathroom)
- ③ Patch block crack
- ④ caulk & Paint cracks in 4x4's
- ⑤ Complete exterior trim paint
- ⑥ Back Bedroom door warped
- ⑦ T&E

Witnessed by: [Signature] JWH Representative's Signature      [Signature] Customer's Signature      [Signature] Customer's Signature

**COMPLETION OF EXCEPTIONS**

This is to advise that the exceptions listed above, if any, have now been completed and built according to contract and to my satisfaction as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Witnessed by: \_\_\_\_\_ JWH Representative's Signature      \_\_\_\_\_ Customer's Signature      \_\_\_\_\_ Customer's Signature

Showing inspection  
for part of the  
house in  
process of  
being built

# SEMINOLE COUNTY FLORIDA BUILDING AND FIRE PREVENTION DIVISION INSPECTION REPORT

<b>PERMIT NUMBER</b>	98-6792	<b>TYPE OF INSPECTION</b>	
<b>CONTRACTOR/ SUB CONTRACTOR</b>	Jim Walter	<b>BUILDING</b>	Frame
<b>JOB ADDRESS</b>	2024 M <sup>o</sup> Carthy Ave	<b>PLUMBING</b>	
<b>DATE</b>	8/24/00	<b>MECHANICAL</b>	
<b>REJECTION FEE AMOUNT</b>	25.-	<b>ELECTRICAL</b>	
		<b>FIRE</b>	
		<b>OTHER</b>	

ITEM	CODE SEC	LOCATION AND REMARKS
148	SBC 2307	Stair jacks need proper bearing support.
275	1007	Variation in riser height on stairs Tread very from level to full bulge out of level.
399	1026	Guard rails on stairs are not sturdy enough to support proper load.
101	104	Need to keep permit + plans posted visible from street. Had to search for them.
Note		on finish the landing at bottom of stairs will need to be proper for rise to stairs, and will need proper graspable handrail on stairs.

**COPY TO REMAIN ON JOB SITE UNTIL AFTER REINSPECTION HAS PASSED.**

Jim Kraemer 7:00 am to 7:45 am 407-665-7468	 INITIALS	From _____ to _____ AM From _____ to _____ PM NORMAL OFFICE HOURS	665 - _____ TELEPHONE
---	---	---	--------------------------

*Showing house plumbing inspection*

# SEMINOLE COUNTY FLORIDA BUILDING AND FIRE PREVENTION DIVISION INSPECTION REPORT

**PERMIT NUMBER** 9806712  
**CONTRACTOR/SUB CONTRACTOR** WALKER  
**JOB ADDRESS** 2024 Mcnamely Rd  
**DATE** 8-14-00  
**REJECTION FEE AMOUNT** 25.00

**TYPE OF INSPECTION**

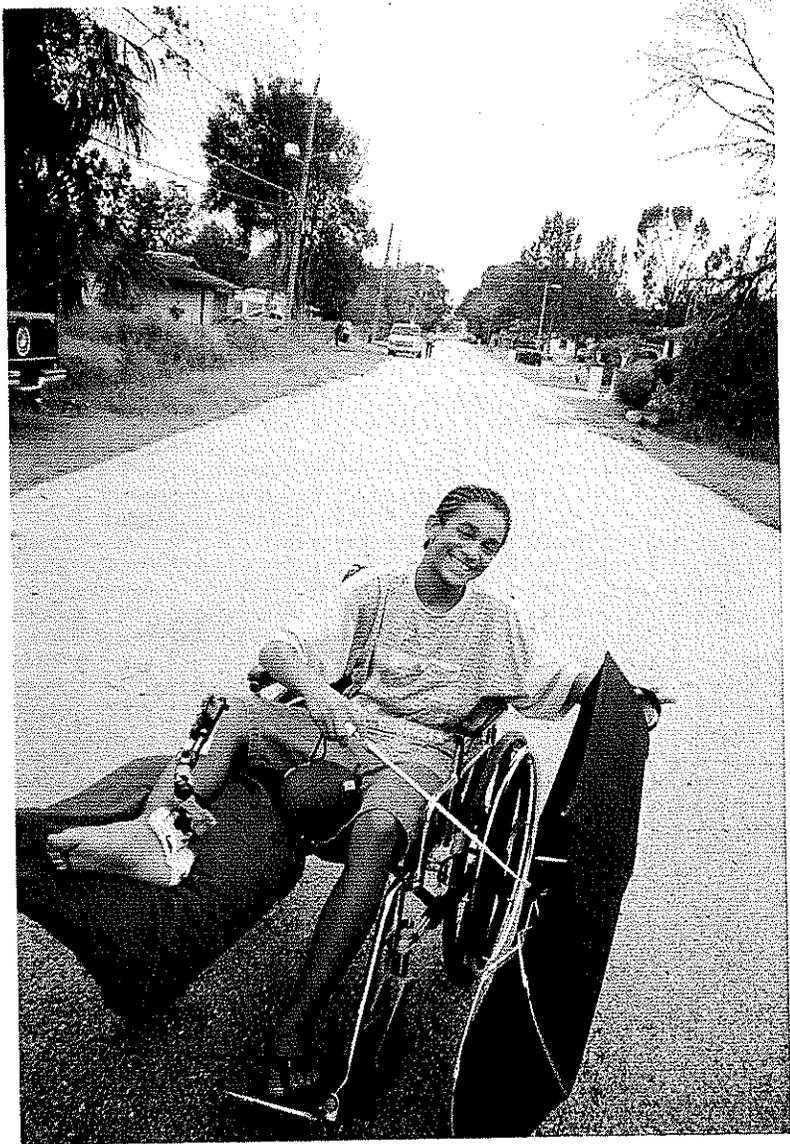
**BUILDING**  
 **PLUMBING**  
 **MECHANICAL**  
 **ELECTRICAL**  
 **FIRE**  
 **OTHER**

ITEM	CODE SEC	LOCATION AND REMARKS
303	Chapter 9	X WASH ER not allowed to wet vent water closet
407	311	X 1st floor Head Fast on DWV X Tubs not Connected
		W. H. need 2nd Rough Inspection also

**JIM SORG**  
**407-321-1130**  
**X-7455**  
**7:00 - 7:45 AM**  
**3:00 - 3:30 PM**

**COPY TO REMAIN ON JOB SITE UNTIL AFTER REINSPECTION HAS PASSED.**

		From _____ to _____ AM	665 - _____
INITIALS		From _____ to _____ PM	TELEPHONE
		NORMAL OFFICE HOURS	





CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

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

Petitioner,

vs.

WILBERT H. MCCULLOUGH

Respondent

CASE NO. 00-12-CEB

**CERTIFIED COPY**  
**CLERK OF THE**  
**CODE ENFORCEMENT BOARD**  
**SEMINOLE COUNTY, FLORIDA**  
BY: CONNIE R. KILPATRICK  
DATE: 6-27-06

MARYANNE MORSE, CLERK OF THE CIRCUIT COURT SEMINOLE COUNTY, CFN 2006105484 BK 06307 Pgs 1094 - 1095 (2pgs) RECD 06/29/2006 10:42:02 AM  
REC FEES 19.50, RECD 06/29/2006 10:42:02 AM

**CORRECTED**  
**ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN**

The Respondent is the owner of record of the property (Tax Parcel ID #35-19-30-517-1000-0200) located at 2024 McCarthy Street, Sanford, Florida, located in Seminole County and legally described as follows:

LEG LOT 20 BLK 10 LOCKHARTS SUBD PB 3 PG 70

This case came on for public hearing before the Code Enforcement Board of Seminole County on the 24<sup>th</sup> day of February, 2000, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Section 95.4 as defined in 95.3(h), of the Seminole County Code.

Said Order required Respondent to take certain corrective action by March 14, 2000.

Said Order stated that a fine of \$50.00 per day would be imposed if Respondent did not take certain corrective action by the date set for compliance.

An Affidavit of Non-Compliance bearing the date of March 15, 2000, has been filed with the Board by the Code Inspector, which Affidavit certifies under oath that the required action has not been taken as ordered.

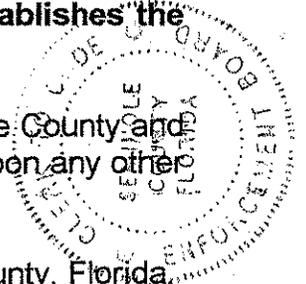
Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated February 14, 2000, the Board orders that a fine of ~~\$3,250.00~~ \$2,200.00 (total accrued fine up until hearing) is imposed against the property for each day the violation has continued past the date set for compliance and a fine of \$50.00 per day is ordered against the property for each day the violation continues past ~~March 14, 2000~~ April 27, 2000.

00-12-CEB  
WILBERT H MCCULLOUGH

The Respondent must contact the Code Inspector to arrange for an inspection of the property to verify compliance. The fine imposed shall continue until such time as the Code Inspector inspects the property and establishes the date of compliance.

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 22<sup>nd</sup> day of June 2006, in Seminole County, Florida



CODE ENFORCEMENT BOARD  
SEMINOLE COUNTY, FLORIDA

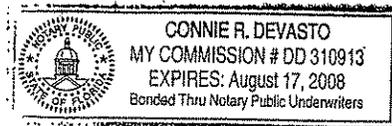
*Bill Fahey v.c.*  
BILL FAHEY, VICE CHAIR

STATE OF FLORIDA                    )  
COUNTY OF SEMINOLE            )

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of June 2006, by Bill Fahey, who is personally known to me.

*Connie R. DeVasto*

Connie R. DeVasto  
Notary Public to and for the  
County and State aforementioned.  
My Commission Expires



<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																																												
<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 35-19-30-517-1000-0200</p> <p>Owner: MC CULLOUGH WILBERT H &amp; LOREAN</p> <p>Mailing Address: 2024 MC CARTHY AVE</p> <p>City,State,ZipCode: SANDORD FL 32771</p> <p>Property Address: 2024 MC CARTHY AVE SANFORD 32771</p> <p>Subdivision Name: LOCKHARTS SUBD</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD</p> <p>Dor: 01-SINGLE FAMILY</p>		<p><b>2006 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$76,287</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$6,273</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$82,560</p> <p>Assessed Value (SOH): \$53,105</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$28,105</p> <p>Tax Estimator</p>																																										
<p align="center"><b>SALES</b></p> <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>QUIT CLAIM DEED</td> <td>05/2006</td> <td>06259</td> <td>1265</td> <td>\$60,800</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>01/1997</td> <td>03182</td> <td>0862</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1996</td> <td>03040</td> <td>0777</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>02/1996</td> <td>03033</td> <td>1710</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1977</td> <td>01126</td> <td>0483</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	QUIT CLAIM DEED	05/2006	06259	1265	\$60,800	Improved	No	QUIT CLAIM DEED	01/1997	03182	0862	\$100	Vacant	No	WARRANTY DEED	02/1996	03040	0777	\$100	Improved	No	QUIT CLAIM DEED	02/1996	03033	1710	\$100	Vacant	No	WARRANTY DEED	01/1977	01126	0483	\$100	Vacant	No	<p><b>2005 VALUE SUMMARY</b></p> <p>Tax Value(without SOH): \$569</p> <p>2005 Tax Bill Amount: \$435</p> <p>Save Our Homes (SOH) Savings: \$134</p> <p>2005 Taxable Value: \$26,558</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																																						
QUIT CLAIM DEED	05/2006	06259	1265	\$60,800	Improved	No																																						
QUIT CLAIM DEED	01/1997	03182	0862	\$100	Vacant	No																																						
WARRANTY DEED	02/1996	03040	0777	\$100	Improved	No																																						
QUIT CLAIM DEED	02/1996	03033	1710	\$100	Vacant	No																																						
WARRANTY DEED	01/1977	01126	0483	\$100	Vacant	No																																						
<p align="center"><b>LAND</b></p> <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>FRONT FOOT &amp; DEPTH</td> <td>51</td> <td>100</td> <td>.000</td> <td>150.00</td> <td>\$6,273</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	51	100	.000	150.00	\$6,273	<p align="center"><b>LEGAL DESCRIPTION</b></p> <p>PLATS: <input type="button" value="Pick..."/></p> <p>LEG LOT 20 BLK 10 LOCKHARTS SUBD PB 3 PG 70</p>																														
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																							
FRONT FOOT & DEPTH	51	100	.000	150.00	\$6,273																																							
<p align="center"><b>BUILDING INFORMATION</b></p> <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>2001</td> <td>6</td> <td>1,048</td> <td>1,132</td> <td>1,048</td> <td>SIDING AVG</td> <td>\$76,287</td> <td>\$78,243</td> </tr> </tbody> </table> <p>Appendage / Sqft      OPEN PORCH FINISHED / 84</p> <p>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p>		Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	2001	6	1,048	1,132	1,048	SIDING AVG	\$76,287	\$78,243																							
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																			
1	SINGLE FAMILY	2001	6	1,048	1,132	1,048	SIDING AVG	\$76,287	\$78,243																																			
<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																												

**Estimate of Costs**  
**CEB Case # 00-12-CEB**  
**WILBERT H. MCCULLOUGH**

<b><u>Postage</u></b>			
Regular	5	\$ .39	\$ 1.95
Certified	5	\$ 4.64	\$23.20
			<b>\$25.15</b>
<b><u>Processing Time for Code Enforcement and BCC Action</u></b>			
<b>Code Board Secretary</b>	2 hours	\$ 13.13	\$26.26
<b>Code Board Attorney</b>	1 hour	\$100.00	
<b>Planning Manager's Review</b>	1 hour	\$ 40.00	
<b>Planning and Development Director's Review</b>	1 hour	\$ 50.00	
<b>Deputy County Manager's Review</b>	1 hour	\$ 60.00	
<b>County Attorney's Review</b>	1 hour	\$100.00	
			<b>\$376.26</b>
<b>Other associated costs not captured: Fleet expense, Phone expense, Utilities, Computer Support</b>			
<b>Costs for Recording Documents -</b>			
<b># of first page docs - 5 # of additional page docs - 3</b>			<b>\$75.50</b>
<b>(\$10.00 first page, \$8.50 each additional page)</b>			
<b><u>ESTIMATED COST FOR PROCESSING CASE # 00-12 -CEB</u></b> <b><u>By the Planning Division</u></b>			<b>\$476.91</b>
<b><u>ESTIMATED COST FOR PROCESSING CASE # 00-12 -CEB</u></b> <b><u>By the Seminole County Sheriff's Office</u></b>			<b>\$171.95</b>
<b><u>TOTAL COST FOR PROCESSING CASE # 00-12- CEB</u></b>			<b>\$648.86</b>

**SEMINOLE COUNTY SHERIFF'S OFFICE**  
**Affidavit For Reimbursement of Code Enforcement Officers Administrative Costs**  
**Case No. 00-12-CEB**

The Seminole County Sheriff's Office requests that the Department of Planning and Development petition the Board of County Commission to enter an order requiring the Respondent in the above-styled case to pay the costs of investigation incurred by this office during the investigation and presentation of said case. The below items detail the activities and associated costs for investigating this case.

**Code Enforcement Officer: Pamela Taylor**

DATE	PERSONNEL ACTIVITY	HOURS
02/14/00 & 04/27/00	CEB Hearings	2
	Inspections: 07/24/99, 09/08/99, 11/10/99, 03/15/00 & 05/10/06	2.5
08/02/99 &09/17/99	Letters to property owner	1
12/16/99	Request for Hearing	1
02/04/00	Property posted for Hearing	1
05/15/06	Affidavit of Compliance	1
<b>TOTAL HOURS</b>		<b>8.5</b>
		x \$20.23
<b>TOTAL PERSONNEL COSTS</b>		<b>\$ 171.95</b>

DATE	TANGIBLE GOODS OR SERVICES	COST
1.		
2.		
3.		
4.		
<b>TOTAL TANGIBLE AND/OR SERVICE COSTS</b>		<b>\$ 00</b>

The Seminole County Sheriff's Office has incurred actual costs in the amount of \$ 171.95 during the investigation and prosecution of the defendant in this case. Said costs are supported and documented as listed above. Personnel costs are calculated at a rate of \$20.23 per hour, as determined by the Financial Services Section of the Seminole County Sheriff's Office. Tangible goods and contractual services are indicated as required and at a direct cost to the Office.

Signature of Code Enforcement Officer: Pamela Taylor Date: June 13, 2006

Attested to this 13<sup>th</sup> day of June, 2006, by: Pamela Taylor  
Code Enforcement Officer

**SATISFACTION OF LIEN  
AS TO PARTICULAR PARCEL**

**THIS** instrument disclaims and releases the lien imposed by the Order Finding Non-Compliance and Imposing Fine/Lien, issued by the Seminole County Code Enforcement Board in Case No. 00-12-CEB filed against WILBERT H. MCCULLOUGH and filed by and on behalf of Seminole County, on APRIL 27, 2000 and recorded in Official Records Book 3892, Pages 0777 - 0778, of the Public Records of Seminole County, Florida; the Order Finding Non-Compliance and Imposing Fine/Lien issued on MAY 18, 2000 and recorded in Official Records Book 3909, Pages 0001 - 0002, of the Public Records of Seminole County, Florida; and the Corrected Order Finding Non-Compliance and Imposing Fine/Lien issued on June 22, 2006 and recorded in Official Records Book 06307, Pages 1094 – 1095, against the following described real property:

LEG LOT 20 BLK 10 LOCKHARTS SUBD PB 3 PG 70

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 \_\_\_\_\_, 2006.

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  
07/25/06 regular meeting.

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