

April 24, 2018 - Regular Meeting
Agenda Item #20

4/24/18

Subject

Reduction of Code Enforcement Fines for James Palawski - Palaw LLC, Code Enforcement Case Number CE2012100104

Briefings

None

Contact and/or Presenter Information

Jeff Bowman, Division Chief, Ext 6854

Action Requested

Motion to reduce the fines for this case to \$1,000.00 + \$40.00 recording fees, as previously recommended by the Special Magistrate on March 28, 2018, subject to the following conditions:

1. The reduced fines shall be paid within 90 days or will revert back to the original fine amount of \$207,240.00 for CE2012100104.
2. Recording fees shall be paid, which total \$40.00.
3. Building and Development Services Department Director is authorized to sign satisfactions of liens if the reduced fines are paid.

Emailed code enforcement 4/26/18

Enabling/Regulating Authority

Section 162.09, Florida Statutes

Background Discussion

The previous property owner, Rudolfo Hernandez, was cited for trash & debris and outdoor storage. The Property went through foreclosure and Final Judgment was filed on April 30, 2014. James Palawski (Palaw LLC), who purchased the property, is requesting a reduction in the lien amount as the violations were not created by him. Shortly after obtaining ownership he brought the property into compliance.

Violation: Sections 703.2.23.1 & 703.2.20 of the Manatee County Land Development Code.

History:

1. Notice of Violation was issued October 8, 2012.
2. The Special Magistrate Hearing was held on November 28, 2012. The property owner was ordered to comply by December 21, 2012, or a minimum fine of \$100.00 plus \$150.00 per day for each violation and for each and every day either violation continued past the compliance date ordered.
3. Complied November 12, 2014.
4. Fines for this case total \$207,240.00, which includes \$40.00 recording fees.
5. Special Magistrate Mitigation Hearing was held March 28, 2018. The Magistrate determined that justification exists to reduce the total fine amount and to forward the request to the Board of County Commissioners with a recommendation to reduce the fine amount which totals \$207,240.00 to \$1,000.00 plus \$40.00 recording fees for a total of \$1,040.00 to settle this case. Staff recommends

approval.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

N/A

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [BOCC Attachments March 28, 2018 James Palawski.pdf](#)

Application For Relief - Code Enforcement Liens

Manatee County Code Enforcement Division

1112 Manatee Avenue West
Bradenton, FL 34205
Tel: (941) 748-2071 Fax: (941) 749-3094

Notice: This application is available as a WORD document for your convenience.

Manatee County accepts applications for Code Enforcement Lien relief from owners of properties that have corrected ALL of the violations on the subject property. Please complete the form in its entirety. Incomplete applications will not be accepted.

Case # CE2012100104 Manatee County - vs - (Respondent) Rudolfo Hernandez

Property Information

Parcel Identification Number: 6555900122	
Lot: 1	Block: Subdivision: De Loach Sub
Address: 1203 62 nd Ave E	
City: Bradenton	Zip Code: 34203

Property Owner Information

Current property owner: PALAW LLC		
Address: P.O Box 10008		
City: Bradenton	State: FL	Zip: 34282
Phone #: 941 224-4457	Email address: Jimmy PALAW @ YAHOO.COM	
Representative/Agent: JAMES J PALAWSKI		
Address: P.O Box 10008		
City: Bradenton	State: FL	Zip: 34282
Phone #: 941 224-4457	Email address: Jimmy PALAW @ Yahoo, com	

Lien Information

Amount of lien: Sect. 703.2.23.1 \$103,620.00 Sect. 703.2.20 \$103,620.00	Amount of offer: 1000 ⁰⁰ + 40 ⁰⁰ JP Recording
Date lien was recorded: 1/7/13 for (2) liens	Number of days the property was in Violation: 690 days p/each violation
Date of Compliance: 11/12/14 for each violation	How much money was spent to abate the Violation: 30 ⁰⁰

The following documentation (when applicable) SHALL be submitted with the application:
(Reference any supporting documentation as Exhibit 1, Exhibit 2, and so forth.)

1. Notice of Lis Pendens recorded with Manatee County Clerk of Courts with the date, book and page shown;
2. Foreclosure Order, with the recording date, book and page shown;
3. Final Summary Judgment of Foreclosure, with the recording date, book and page shown;

LABOR Clean Yard

- 4. New Certificate of Title, with the recording date, book and page shown;
- 5. County's Final Order of Imposition of Fine; and
- 6. Claim of Lien(s) with the recording date, book and page shown.

FACTORS RELEVANT TO APPLICATIONS FOR RELIEF:

- 1. The nature and gravity of the violation(s);
- 2. Any actions you have taken to correct the violation(s); *Clean YARD (once a year pickup)*
- 3. The length of time between the previously ordered compliance date and the date the violation(s) was brought into compliance;
- 4. Any actual costs you expended to cure the violation(s), if supported by documentation; *LABOR \$ 30-50*
- 5. Any other prior or current violations you committed on the subject property or upon any other property you own within the County; and
- 6. Equitable considerations.
 - i. Whether there was any extraordinary hardship which existed or currently exists;
 - ii. Whether the applicant was the property owner when the fine or lien was imposed; *Did not own*
 - iii. Whether the property is homestead or non-homestead property; *Should of been as it was owner occupant but never homestead*
 - iv. Whether the County lien is interfering with the sale or restoration of the property or will prevent the property from being conveyed to a new owner. *Would but I can rent it for 20 year & lien goes away.*

Please provide written justification as to why relief should be granted: (When you complete this section, at a minimum, address the above factors and reference any supporting documentation as Exhibit 1, Exhibit 2, and so forth.)

PROPERTY LITIGATION: (If applicable give detail here if this property is involved in litigation.)

I certify that I am: (Include documentation of the below)

- the owner of the subject property; *MANAGING MEMBER PALAW LLC*
- an Attorney representing the owner,
- the legal representative for the property, or
- otherwise authorized to act on behalf of the property owner in this matter.

James Palawski
 Signature of Owner/Authorized Representative
 JAMES J PALAWSKI
 Print Name

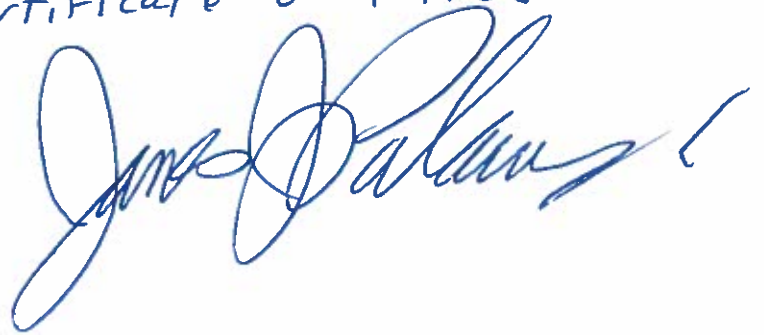
2/27/18
 Date

To Special Magistrate

From JAMES J PALAWSKI

2/27/18

Probably if the property was not in Foreclosure he would of cleaned up the yard. Also misspelling his name may of been a factor in Rodolfo not bothering to clean yard. As noted MANATEE County was not named as the lien was in Rudolfo rather than Rodolfo as Code enforcement rely on MANATEE Property Appraiser rather than MANATEE Clerk of Court. Thought a proper search by subdivision would of brought up the lien. Generally by name is easier time wise. In any case the yard was cleaned up after I owned it. It was complied one day before I obtained certificate of title.



MANATEE COUNTY CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

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

Petitioner,

vs

Case No. CE2012100104

RUDOLFO HERNANDEZ,
Respondent,

*mispelled NAME by the
property APPRAISOR*

*Code
enforcement*

ORDER IMPOSING FINE

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on November 28, 2012, and the Special Magistrate having heard testimony under oath, received evidence, and heard arguments respective to all appropriate matters, and thereupon issues the Findings of Fact, Conclusions of Law, and Order as follows:

FINDINGS OF FACT

- 1 That Rudolfo Hernandez, hereinafter referred to as the Respondent is the owner of record of the subject property
- 2 That notice was served on the Respondent and no one was present at the hearing
- 3 That previous notifications of the violation of the Manatee County Land Development Code Section 703.2.23.1 were made and served on the Respondent by posting the property and the front door of the Manatee County Administrative Center located at 1112 Manatee Avenue West, Bradenton, Florida
- 4 That the property located at 1203 62nd Avenue East, Bradenton, Florida, DP 6555900122, has a violation of Manatee County Land Development Code Section 703.2.23.1 because miscellaneous trash and debris is on the property,
- 5 That the Respondent is in violation of Section 703.2.23.1 for having miscellaneous trash and debris on the property

CONCLUSIONS OF LAW

- 1 That the Respondent is in violation of Manatee County Land Development Code Section 703.2.23.1

ORDER

Based upon the foregoing Findings of fact and Conclusions of Law, and pursuant to the authority granted in Chapter 162, Florida Statutes, and Manatee County Land Development Code, it is hereby ORDERED

- 1 THAT the Respondent corrects the violation of Manatee County Land Development Code Section 703.2.23.1
- 2 THAT if this Order is not complied with on or before December 21, 2012, it is hereby ordered that Respondent shall pay a minimum fine of \$100, plus \$150 per day for each and every day any violation described herein continues past December 21, 2012.
- 3 Failure to Comply with this Order within the specified time will result in the recordation of this Order Imposing Fine, which constitutes a lien upon any real or personal property owned by the violators and may be foreclosed, and your property sold to enforce this lien. If such lien is filed, you will be assessed all costs incurred in recording and satisfying this lien.
- 4 The Code Enforcement Special Magistrate also authorizes the County Attorney or his/her designee to foreclose, collect or settle said lien using any legal or equitable remedies available to collect any liens which remain unpaid.
- 5 This Order becomes self-executing upon an Affidavit of Non-compliance being filed with the Clerk of Circuit Court Board Records Section, and a hearing shall not be necessary.
- 6 That pursuant to Section 305.57 of the Land Development Code, should violations exist beyond the date set for compliance, the Special Magistrate shall impose a minimum fine of \$65.

Ordered November 28, 2012, and executed this 5th day of December 2012.

ATTEST, R B Shore
Clerk of Circuit Court

By [Signature]
Deputy Clerk



[Signature]
Manatee County Code Enforcement
Special Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has been furnished to the Respondent, Rudolfo Hernandez, 1203 62nd Avenue East, Bradenton, Florida 34203-7758, by U S mail and to the Manatee County Code Enforcement Division, this 5th day of December, 2012

R B SHORE
Clerk of Circuit Court
Manatee County, Florida

By [Signature]
Deputy Clerk



January 2013
[Signature]
Clerk of Circuit Court

ATTENTION: It is your responsibility to notify Code Enforcement at 941 748 4301, Extension 8909 and satisfactorily demonstrate that the violation has/have ceased. Release of this lien cannot occur until Code Enforcement verifies that the violation no longer exists!

MANATEE COUNTY CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

MANATEE COUNTY, a political subdivision
of the State of Florida,
Petitioner,

Case No. CE2012100104

vs

RUDOLFO HERNANDEZ,
Respondent,

ORDER IMPOSING FINE

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on November 28, 2012, and the Special Magistrate having heard testimony under oath, received evidence, and heard arguments respective to all appropriate matters, and thereupon issues the Findings of Fact, Conclusions of Law, and Order as follows

FINDINGS OF FACT

- 1 That Rudolfo Hernandez, hereinafter referred to as the Respondent is the owner of record of the subject property
- 2 That notice was served on the Respondent and no one was present at the hearing
- 3 That previous notifications of the violation of the Manatee County Land Development Code Section 703.2.20 were made and served on Respondent by posting the property and the front door of the Manatee County Administrative Center located at 1112 Manatee Avenue West, Bradenton, Florida
- 4 That the property located at 1203 62nd Avenue East, Bradenton, Florida, DP 6555900122, has a violation of Manatee County Land Development Code Section 703.2.20 because unscreened outdoor storage is on the property,
- 5 That the Respondent is in violation of Section 703.2.20 for having unscreened outdoor storage on the property.

CONCLUSIONS OF LAW

- 1 That the Respondent is in violation of Manatee County Land Development Code Section 703.2.20

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and pursuant to the authority granted in Chapter 162, Florida Statutes, and Manatee County Land Development Code, it is hereby ORDERED:

- 1 THAT the Respondent corrects the violation of Manatee County Land Development Code Section 703.2.20
- 2 THAT if this Order is not complied with on or before December 21, 2012, it is hereby ordered that Respondent shall pay a minimum fine of \$100, plus \$150 per day for each and every day any violation described herein continues past December 21, 2012
- 3 Failure to Comply with this Order within the specified time will result in the recordation of this Order Imposing Fine, which constitutes a lien upon any real or personal property owned by the violators and may be foreclosed and your property sold to enforce this lien. If such lien is filed, you will be assessed all costs incurred in recording and satisfying this lien
- 4 The Code Enforcement Special Magistrate also authorizes the County Attorney or his/her designee to foreclose, collect or settle said lien using any legal or equitable remedies available to collect any liens which remain unpaid
- 5 This Order becomes self-executing upon an Affidavit of Non compliance being filed with the Clerk of Circuit Court Board Records Section, and a hearing shall not be necessary
- 6 That pursuant to Section 305.5.7 of the Land Development Code, should violations exist beyond the date set for compliance, the Special Magistrate shall impose a minimum fine of \$65

Ordered November 28, 2012, and executed this 5th day of December, 2012.

ATTEST: R. B. Shore
Clerk of Circuit Court

By: [Signature]
Deputy Clerk



[Signature]
Manatee County Code Enforcement
Special Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has been furnished to the Respondent, Rudolfo Hernandez, 1203 62nd Avenue East, Bradenton, Florida 34203-7758, by U.S. mail and to the Manatee County Code Enforcement Division this 5th day of December, 2012.

R. B. SHORE
Clerk of Circuit Court
Manatee County, Florida

By: [Signature]
Deputy Clerk



STATE OF FLORIDA
This is to certify that the foregoing is true and correct as it is a true and correct copy of the original as filed in my office.
by [Signature] on this 4th day of January, 2013.
R. B. SHORE
Clerk of Circuit Court
By: [Signature]

ATTENTION: It is your responsibility to notify Code Enforcement at 941-748-4501, Extension 6909 and satisfactorily demonstrate that the violation has/have ceased. Release of this lien cannot occur until Code Enforcement verifies that the violation no longer exists!

Return to: (enclosed self addressed stamped envelope)

Name: Metropolitan Title & Guaranty

WARRANTY DEED
INDIVID. TO INDIVID.

Address: 3021-B Manatee Avenue West
Bradenton, FL 34205

This Instrument Prepared by: Taya Parodo
Metropolitan Title & Guaranty
98-17-0061

Address: 3021-B Manatee Avenue West
Bradenton, FL 34205

Property Appraiser Parcel Identification (Folio) Number(s):
65559.0012/2

BK 1546 PG 419 DOC STAMPS \$279.30 DKT# 1095529
FILED AND RECORDED 03/04/98 10:57AM 1 of 1
R.D. SHORE CLERK OF CIRCUIT COURT MANATEE COUNTY FL

Grantee(s) S.S.#(s):

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

This Warranty Deed Made the 27th day of February A.D. 1998 by
L.H. Glasgow, an unmarried man

hereinafter called the grantor, to Rodolfo Hernandez

whose post office address is 1203 62nd Ave. E
Bradenton, FL 34203

hereinafter called the grantee;

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Properly spelled

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in Manatee County, State of Florida, viz:

The East 37 feet of Lot 1, DELGACH SUBDIVISION, according to the map or plat thereof, as recorded in Plat Book 22, Pages 117 and 118, of the Public Records of Manatee County, Florida.

Subject To covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 1998 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

Together, with all the tenements, hereditament and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons.

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

Signed, sealed and delivered in the presence of:

Taya Parodo
Signature
Taya Parodo

L.H. Glasgow
Signature
L.H. Glasgow

Marie Taylor
Printed Signature
Signature
Marie Taylor

Printed Signature
6224 12th St. Ct. E
Post Office Address
Bradenton, FL 34205

Signature

Signature

Printed Signature

Printed Signature

Signature

Post Office Address

Printed Signature

STATE OF Florida
COUNTY OF Manatee

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared L.H. Glasgow

Florida State Driver's License (identified by and who executed the foregoing instrument and who did take an oath. (being duly sworn) to me known to be the person described in and

WITNESS my hand and official seal in the presence of Taya Parodo, I presaid this 27th day of February A.D. 19 98

My Commission Expires

GF # 98-17-



Taya S. Parodo
Signature
Taya S. Parodo
Printed Notary Signature

IN THE CIRCUIT COURT OF THE 12TH
JUDICIAL CIRCUIT, IN AND FOR
MANATEE COUNTY, FLORIDA
CIVIL DIVISION
CASE NO.

2012 CA 002442

BANK OF AMERICA, N.A., SUCCESSOR BY MERGER
TO BAC HOME LOANS SERVICING, LP FKA
COUNTRYWIDE HOME LOANS SERVICING, LP,
Plaintiff,

vs.

RODOLFO HERNANDEZ; UNKNOWN SPOUSE OF
RODOLFO HERNANDEZ; UNKNOWN PERSON(S) IN
POSSESSION OF THE SUBJECT PROPERTY;
Defendants.

NOTICE OF LIS PENDENS

TO THE ABOVE STYLED DEFENDANTS AND ALL OTHERS WHOM IT MAY CONCERN:
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

- (a) The plaintiff has instituted this action against you seeking to foreclose a mortgage with respect to the property described below;
- (b) The plaintiff in this action is/are:
BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP
- (c) The case number of the action and the court where the action is pending is as shown in the caption.
- (d) The property that is the subject matter of this action is in MANATEE County, Florida, and is described as follows:

THE EAST 37 FEET OF LOT 1, DELOACH SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 117 AND 118, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, including the buildings, and appurtenances, and fixtures located thereon.

DATED this 12 day of April, 2012.

Kahano & Associates, P.A.
8201 Peters Road, Ste. 3000
Plantation, Florida 33324
Telephone: (954) 382-3486
Telefacsimile: (954) 382-5380

By: [Signature]
Marjorie DeCastro-Hirsch, Esq.
Bar. No.: 67916

Eric M. Knopp, Esq.
FBN 709921

FOR CLERK'S USE ONLY

IN THE CIRCUIT COURT OF THE 12TH
JUDICIAL CIRCUIT, IN AND FOR
MANATEE COUNTY, FLORIDA
CIVIL DIVISION
CASE NO. 2012 CA 002442

BANK OF AMERICA, N.A., SUCCESSOR BY MERGER
TO BAC HOME LOANS SERVICING, LP FKA
COUNTRYWIDE HOME LOANS SERVICING, LP

Plaintiff,

vs.

RODOLFO HERNANDEZ; UNKNOWN SPOUSE OF
RODOLFO HERNANDEZ N/K/A SAN JUANA LOPEZ;
UNKNOWN PERSON(S) IN POSSESSION OF THE
SUBJECT PROPERTY;

Defendants.

FILED IN OPEN COURT
R.B. SHORE, CLERK
APR 30 2014
BY Hines D.C.

UNIFORM FINAL JUDGMENT OF MORTGAGE FORECLOSURE

*This form substantially complies with Form 1.996, adopted by the Florida Supreme Court
February 11, 2010, SC09-1579; form published in 12th Circuit on 4-5-10 and revised on 1/4/2011.*

THIS action was tried before the Court on April 30, 2014. On the evidence presented

IT IS ORDERED AND ADJUDGED that:

1. Plaintiff, BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP, c/o BANK OF AMERICA, N.A., 7105 CORPORATE DRIVE, PLANO TEXAS, 75024, is due:

Description	Amount
Principal	\$ 33,931.77
Interest from September 1, 2010 to 4/30/2014 date of judgment	\$ 9,331.08
Late Charges	\$ 53.48
Title Search Expense	\$ 440.00
Property taxes for the year(s) of 2013-\$831.24; 2012-\$828.79; 2011-\$847.89; 2010-\$187.95	\$ 2,695.87
Hazard Insurance for the year(s) of 2014-\$3,285.05; 2013- \$2,908.25; 2012-\$2,685.93; 2011-\$1,936.95	\$ 10,816.18
Flood Insurance for the year(s) of 2013-\$3,856.65; 2012- \$3,856.65; 2011-\$3,959.49; 2010-\$2,012.82	\$ 13,685.61
Filing Fee	\$ 430.00
Service of process	\$ 120.00
Additional Cost: Mortgage Insurance Premiums	\$ 520.77
SUBTOTAL	\$ 72,024.76

Plaintiff's Attorney's Fees	\$ 1,250.00
Plaintiff's Contested Fees-15 hours at \$150.00 per hour	\$ 2,250.00
GRAND TOTAL DUE PLAINTIFF	\$ 75,524.76

shall bear interest from this date forward at the prevailing legal rate of interest.

2. Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s), on the following described property in MANATEE County, Florida:

THE EAST 37 FEET OF LOT 1, DELOACH SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 117 AND 118, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

3. If the total sum with interest at the rate described in Paragraph 1 and all costs accrued subsequent to this Judgment are not paid, the clerk of this court shall sell the property at public sale as set forth below to the highest bidder for cash, except as prescribed in paragraph 4, in accordance with section 45.031, Florida Statutes, using the following method:

Sales Information	Date [Clerk Inserts]	Time	Location
Sarasota County		9:00 am or as soon as possible thereafter	Foreclosure sales conducted via Internet: www.sarasota.realforeclose.com
Manatee County	10-29-14	11:00 am or as soon as possible thereafter	Foreclosure sales conducted via Internet: www.manatee.realforeclose.com
DeSoto County		11:00 am or as soon as possible thereafter	DeSoto County Courthouse 115 Oak Street Arcadia, Florida 34266 www.desotoclerk.com

4. Plaintiff shall advance all subsequent costs of this action and shall be reimbursed for them by the Clerk if Plaintiff is not the purchaser of the property for sale, provided, however, that the purchaser of the property for sale shall be responsible for the documentary stamps payable on the certificate of title. If Plaintiff is the purchaser, the clerk shall credit Plaintiff's bid with the total sum with interest and costs accruing subsequent to this judgment, or such part of it, as is necessary to pay the bid in full.
5. On filing of the certificate of title the clerk shall distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of plaintiff's costs; second, documentary stamps affixed to the certificate; third, plaintiff's attorneys' fees; fourth, the total sum due to plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 1 from this date to the date of the sale and by retaining any remaining amount pending the further order of this court.
6. On filing the certificate of sale, defendant(s) and all persons claiming under or against defendant(s) since the filing of the notice of lis pendens shall be foreclosed of all estate or claim in the property, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any. Upon filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property. If any defendant remains in possession of the property, the clerk shall without further order of the court issue forthwith a writ of possession

of the property upon request of the person named on the certificate of title.

7. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment. The retention of jurisdiction to enter deficiency judgments set forth, shall not apply if personal liability has been discharged under the provisions of the U.S. Bankruptcy code (11 U.S.C. § 101, et seq.).

8. Additions, Modifications or Changes to Standard Form

Any additions, modifications or changes to the provisions above may only be set forth in this paragraph.

a. Jurisdiction of this action is retained to allow for a supplemental complaint to add omitted parties post-judgment.

b. The Court finds, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff that the hours were reasonably expended by Plaintiff's counsel and that an hourly rate of \$ 150.00 is reasonable. *Plaintiff's counsel represents that the attorney fee awarded does not exceed its contract fee with the Plaintiff.* The Court finds that there are no reduction or enhancement factors for consideration by the Court pursuant to *Florida Patient's Compensation Fund v. Rowe*, 472. So. 2d 1145 (Fla. 1985).

NOTICE PURSUANT TO § 45.031, FLORIDA STATUTES (2006).

If this property is sold at public auction, there may be additional money from the sale after payment of persons who are entitled to be paid from the sale proceeds pursuant to this Final Judgment.

If you are a subordinate lienholder claiming a right to funds remaining after the sale, you must file a claim with the Clerk no later than sixty (60) days after the sale. If you fail to file a claim, you will not be entitled to any remaining funds.

If the property being foreclosed in has qualified for the homestead tax exemption in the most recent approved tax roll, the following additional language applies:

If you are the property owner, you may claim these funds yourself. You are not required to have a lawyer or any other representation and you do not have to assign your rights to anyone else in order for you to claim any money to which you are entitled. Please check with the Clerk of Court for your county within ten (10) days after the sale to see if there is additional money from the foreclosure sale that the clerk has in the registry of the Court.

Sarasota County Clerk of Court 2000 Main Street Sarasota, Florida 34237 (941) 861-7400 www.sarasotaclerk.com	Manatee County Clerk of Court 1115 Manatee Ave W Bradenton, FL 34205 (941) 749-1800 www.manateeclerk.com	DeSoto County Clerk of Court 115 East Oak Street Arcadia, FL 34266 (863) 993-4876 www.desotoclerk.com
---	--	--

If you decide to sell your home or hire someone to help you claim the additional money, you should read very carefully all papers you are required to sign, ask someone else, preferably an attorney who is not related to the person offering help to you, to make sure that you understand what you are signing and that you are not transferring your property or the equity in your property without the proper information. If you cannot afford to pay an attorney, you may contact the local legal services listed below to see if you qualify financially for their services. If they cannot assist you, they may be

\$27,400
\$191.80
DSA

FOR CLERK'S USE ONLY

IN THE CIRCUIT COURT OF THE 12TH
JUDICIAL CIRCUIT, IN AND FOR
MANATEE COUNTY, FLORIDA
CIVIL DIVISION
CASE NO. 2012 CA 002442

BANK OF AMERICA, N.A., SUCCESSOR BY MERGER
TO BAC HOME LOANS SERVICING, LP FKA
COUNTRYWIDE HOME LOANS SERVICING, LP

Plaintiff,

vs.

RODOLFO HERNANDEZ; UNKNOWN SPOUSE OF
RODOLFO HERNANDEZ N/K/A SAN JUANA LOPEZ;
UNKNOWN PERSON(S) IN POSSESSION OF THE
SUBJECT PROPERTY;

Defendants.

FILED FOR RECORD
R.S. SHORE
2014 NOV 13 AM 8:48
CLERK OF THE CIRCUIT COURT
MANATEE CO., FLORIDA

CERTIFICATE OF TITLE

The undersigned, R.B. "CHIPS" SHORE III, Clerk of the Court, hereby certifies that a certificate of sale has been executed and filed in this action on 10/30/14, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in MANATEE County, Florida:

THE EAST 37 FEET OF LOT 1, DELOACH SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 117 AND 118, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

was sold to:

Palaw LLC
PO Box 1767
Bradenton, Fl 34206

WITNESS my hand and the seal of the court this 13 day of November, 2014.



R.B. "CHIPS" SHORE III

By R.B. Shore III
As Deputy Clerk

P. O. BOX 25400
BRADENTON, FL 34208

This Document Prepared by:
Attorney for Plaintiff
Kahane & Associates, P.A.
8201 Peters Road, Ste. 3000
Plantation, Florida 33324
Telephone: (954) 382-3486
Telefacsimile: (954) 382-5380
Designated service email: notice@kahaneandassociates.com

File No.: 12-00522 BOA
VI.20140101

\$27,400
\$191.80
DSA

FOR CLERK'S USE ONLY

IN THE CIRCUIT COURT OF THE 12TH
JUDICIAL CIRCUIT, IN AND FOR
MANATEE COUNTY, FLORIDA
CIVIL DIVISION
CASE NO. 2012 CA 002442

BANK OF AMERICA, N.A., SUCCESSOR BY MERGER
TO BAC HOME LOANS SERVICING, LP FKA
COUNTRYWIDE HOME LOANS SERVICING, LP

Plaintiff,

vs.

RODOLFO HERNANDEZ; UNKNOWN SPOUSE OF
RODOLFO HERNANDEZ N/K/A SAN JUANA LOPEZ;
UNKNOWN PERSON(S) IN POSSESSION OF THE
SUBJECT PROPERTY;

Defendants.

FILED FOR RECORD
R.S. SHORE
2014 NOV 13 AM 8:48
CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA

CERTIFICATE OF TITLE

The undersigned, R.B. "CHIPS" SHORE III, Clerk of the Court, hereby certifies that a certificate of sale has been executed and filed in this action on 10/30/14, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in MANATEE County, Florida:

THE EAST 37 FEET OF LOT 1, DELOACH SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 117 AND 118, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

was sold to:

Palaw LLC
PO Box 1767
Bradenton, Fl 34206

WITNESS my hand and the seal of the court this 13 day of November, 2014.



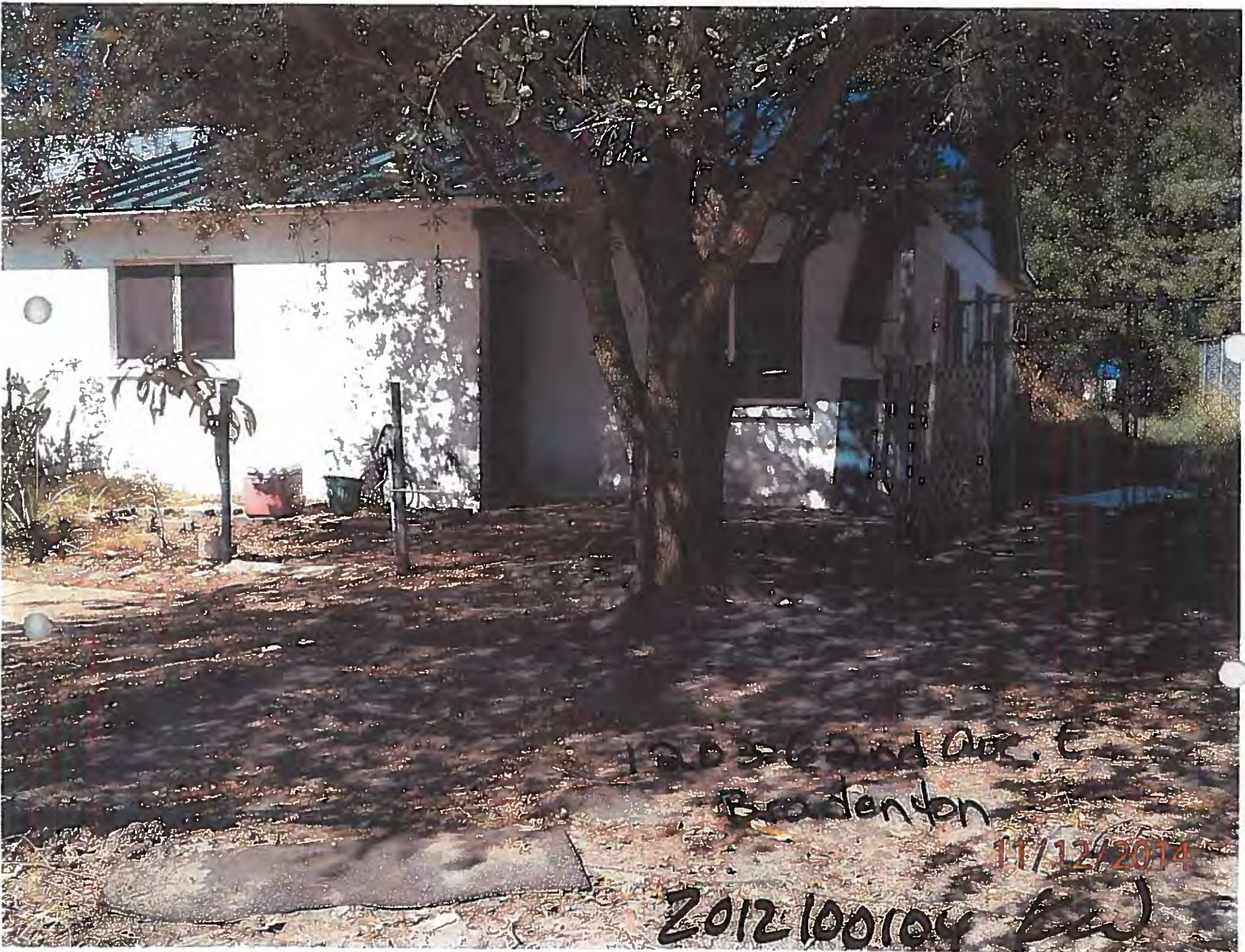
R.B. "CHIPS" SHORE III

By R.B. Shore III
As Deputy Clerk

P. O. BOX 25400
BRADENTON, FL 34208

This Document Prepared by:
Attorney for Plaintiff
Kahane & Associates, P.A.
8201 Peters Road, Ste. 3000
Plantation, Florida 33324
Telephone: (954) 382-3486
Telefacsimile: (954) 382-5380
Designated service email: notice@kahaneandassociates.com

File No.: 12-00522 BOA
V1.20140101



12056 2nd Ave. E
Brooklyn

11/12/2014

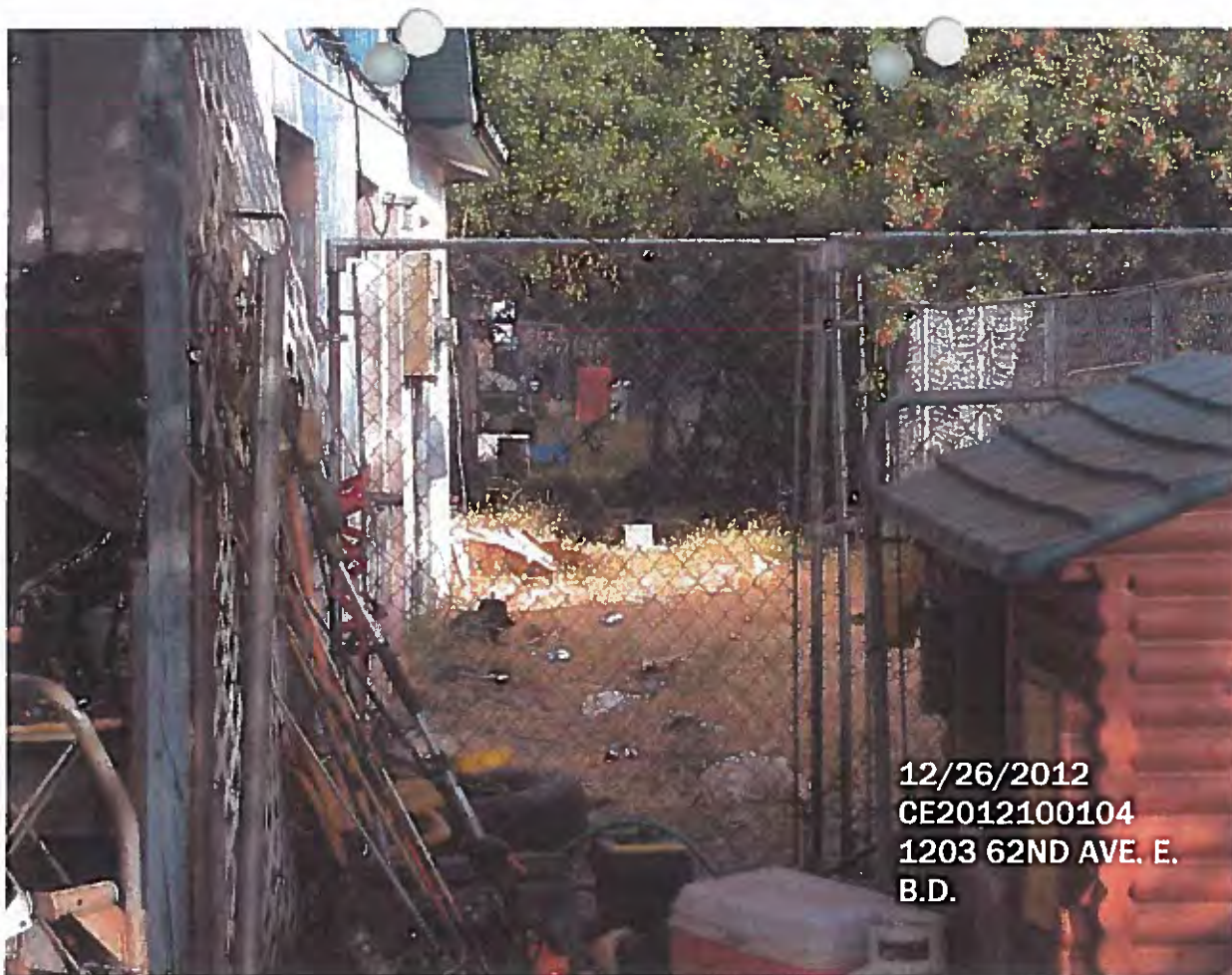
2012100104 (E)



12/26/2012
CE2012100104
1203 62ND AVE. E.
B.D.



12/26/2012
CE2012100104
1203 62ND AVE. E.
B.D.



12/26/2012
CE2012100104
1203 62ND AVE. E.
B.D.



12/26/2012
CE2012100104
1203 62ND AVE. E.
B.D.



12/26/2012
0E2012100104
1208 62ND AVE. E.
B.D.

MANATEE COUNTY CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

MANATEE COUNTY, a political subdivision
of the State of Florida,
Petitioner,

Case No. CE2012100104

vs.

RUDOLFO HERNANDEZ,
Respondent,

ORDER IMPOSING FINE

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on November 28, 2012, and the Special Magistrate having heard testimony under oath, received evidence, and heard arguments respective to all appropriate matters, and thereupon issues the Findings of Fact, Conclusions of Law, and Order as follows:

FINDINGS OF FACT

1. That Rudolfo Hernandez, hereinafter referred to as the Respondent is the owner of record of the subject property.
2. That notice was served on the Respondent and no one was present at the hearing.
3. That previous notifications of the violation of the Manatee County Land Development Code Section 703.2.23.1 were made and served on Respondent by posting the property and the front door of the Manatee County Administrative Center located at 1112 Manatee Avenue West, Bradenton, Florida.
4. That the property located at 1203 62nd Avenue East, Bradenton, Florida, DP 6555900122, has a violation of Manatee County Land Development Code Section 703.2.23.1 because miscellaneous trash and debris is on the property.
5. That the Respondent is in violation of Section 703.2.23.1 for having miscellaneous trash and debris on the property.

CONCLUSIONS OF LAW

1. That the Respondent is in violation of Manatee County Land Development Code Section 703.2.23.1.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and pursuant to the authority granted in Chapter 162, Florida Statutes, and Manatee County Land Development Code, it is hereby ORDERED:

1. THAT the Respondent corrects the violation of Manatee County Land Development Code Section 703.2.23.1.
2. THAT if this Order is not complied with on or before December 21, 2012, it is hereby ordered that Respondent shall pay a minimum fine of \$100, plus \$150 per day for each and every day any violation described herein continues past December 21, 2012.
3. Failure to Comply with this Order within the specified time will result in the recordation of this Order Imposing Fine, which constitutes a lien upon any real or personal property owned by the violators and may be foreclosed, and your property sold to enforce this lien. If such lien is filed, you will be assessed all costs incurred in recording and satisfying this lien.
4. The Code Enforcement Special Magistrate also authorizes the County Attorney or his/her designee to foreclose, collect or settle said lien using any legal or equitable remedies available to collect any liens which remain unpaid.
5. This Order becomes self-executing upon an Affidavit of Non-compliance being filed with the Clerk of Circuit Court Board Records Section, and a hearing shall not be necessary.
6. That pursuant to Section 305.5.7 of the Land Development Code, should violations exist beyond the date set for compliance, the Special Magistrate shall impose a minimum fine of \$65.

Ordered November 28, 2012, and executed this 5th day of December, 2012.

ATTEST: R. B. Shore
Clerk of Circuit Court

By: Wabi Jessner
Deputy Clerk



Paul Olabisi
Manatee County Code Enforcement
Special Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has been furnished to the Respondent, Rudolfo Hernandez, 1203 62nd Avenue East, Bradenton, Florida 34203-7758, by U.S. mail and to the Manatee County Code Enforcement Division, this 5th day of December, 2012.

R. B. SHORE
Clerk of Circuit Court
Manatee County, Florida

By: Wabi Jessner
Deputy Clerk

ATTENTION: It is your responsibility to notify Code Enforcement at 941 748-4501, Extension 6909 and satisfactorily demonstrate that the violation has/have ceased. Release of this lien cannot occur until Code Enforcement verifies that the violation no longer exist(s).

CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

MANATEE COUNTY, FLORIDA,
Complainant,

CASE NO. CE2012100104

vs.

Palaw LLC

Respondent.

ORDER OF REFERRAL TO THE BOARD OF COUNTY COMMISSIONERS

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on March 28, 2018, after due notice to Respondent, and the Special Magistrate having heard testimony under oath, received evidence and heard argument, thereupon issues this Order of Referral Order as follows:

1. The Compliance Orders issued on December 5, 2012 found that the original owner(s) Rudolph Hernandez, was/were the owner(s) or person(s) in charge of the property located at 1203 62nd Ave. E., Bradenton and identified in the Manatee County Property Appraiser's records as: PIN6555900122, and that the property was in violation of Sections 703.2.23.1 and 703.2.20 of the Manatee County Land Development Code, in that Respondent had outdoor storage on the property and miscellaneous trash and debris on the property.
2. The Compliance Order imposed a minimum fine of \$100 for each violation in addition to a fine of \$150.00 for each day each violation(s) continued to exist past the compliance date ordered.
3. As of the date of the hearing, fines imposed against Respondent(s) totaled \$207,240.00 which includes \$40 recording fees. A certified copy of the Order of Imposing Fine/Lien issued on December 5, 2012 was recorded in the Public Records of Manatee County Book 2452, Page 4459 and Book 2452, Page 4459, and thereafter constituted a lien against the above-described property and upon any other real or personal property owned by Respondent(s) pursuant to Section 162.09, Florida Statutes, and Section 2-9-8 of the Manatee County Code of Ordinances.
4. The corrective action ordered in the Compliance Order has been completed and the property is now in compliance with Manatee County Land Development Code.
5. Justification exists to refer this case to the Manatee County Board of County Commissioners with a recommendation to reduce the outstanding fines to \$1,000.00 plus \$40.00 in recording fees.

DONE AND ORDERED this 28th day of March, 2018.

Manatee County Code Enforcement,
Special Magistrate



Special Magistrate (Signature)

Print Name: Ben Vitale

CASE NO. CE2012100104

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Compliance Order has been filed for the record on March 28, 2018 and has been furnished to the Respondent (s),

- Personally, on this 28th day of March, 2018
- By US Mail on this 28th day of March, 2018

Robin Dyer, Code Enforcement Administrative Specialist
Manatee County

By: 
Administrative Specialist (Signature)

Print Name: Ms. Robin J Dyer

Code Enforcement Division
1112 Manatee Ave West
Bradenton, FL. 34205

Attention: It is your responsibility to notify Code Enforcement at 941-748-2071 to verify that the violation has been brought into compliance and that any fines/liens have been satisfied.