

**Lee County Board of County Commissioners  
Agenda Item Summary**

Blue Sheet No. 20030838

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Mark Ebelini is requesting the Board to mitigate a demolition lien and two lot mowing liens from \$8,764.00 to \$0. County staff recommends that the Board mitigate the lien to \$1,380 with 60 days to pay.

**WHY ACTION IS NECESSARY:** Board approval is required for mitigation of county liens.

**WHAT ACTION ACCOMPLISHES:** Allows lien to be released.

**2. DEPARTMENTAL CATEGORY:**  
COMMISSION DISTRICT #

*A4A*

**3. MEETING DATE:**

*09-02-2003*

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**  
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
- B. DEPARTMENT Community Dev.
- C. DIVISION Building Dept.

BY: Robert Stewart  
Building Official

*BS*

**7. BACKGROUND:**

Lee County has recorded three Special Assessment Liens against the property located at 2002/04 Cuba Street, Fort Myers. The first is a demolition lien in the amount of \$3,890.00 assessed in 1992. The other two are lot mowing liens assessed in 1996 and 1997 for \$205.95 each. The liens are accruing and currently total approximately \$8,764.00. The Property Appraiser has indicated that the assessed value of this parcel is \$2,080.00.

The Quality of Life Center has paid \$1,300 in back taxes and sewer liens therefore Staff recommends mitigating the Assessment Liens to \$1,380 with 60 days to pay.

CONTINUED ON PAGE 2

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>M. Ebelini</i>				<i>1380</i>	OA <i>8/13/03</i>	QM <i>8/14/03</i>	RISK <i>8/14/03</i>	GC <i>8/14</i>	<i>Robert Stewart</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: *8/13/03*  
Time: *4:13* pm  
Forwarded to:  
Co. Admin  
*8-14-03*

RECEIVED BY  
COUNTY ADMIN *AD*  
*8/14 12:00*  
COUNTY ADMIN  
FORWARDED TO:  
*8/14/03*

**Blue Sheet #:**

**Page No.:** 2

**Subject:** Quality of Life Center Lien Mitigation

The Board has no obligation to waive or mitigate any portion of the Assessment Liens.

**Attachments:**

- 1) Demolition Assessment Lien recorded at OR BK 2326, Page 3974
- 2) Lot Mowing Lien recorded at OR BK 2827, Page 1237
- 3) Lot Mowing Lien recorded at OR BK 2727, Page 854
- 4) Property Appraiser information concerning 2002/04 Cuba Street
- 5) Mr. Ebelini's request for mitigation
- 6) Resolutions regarding Quality of Life Center executed by the State, County and City

**Knott, Consoer, Ebelini**  
**Hart & Swett, P.A.**  
ATTORNEYS - AT - LAW

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George L. Consoer, Jr. \*\*  
Mark A. Ebelini  
Thomas B. Hart  
H. Andrew Swett

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Director of  
Zoning and Land  
Use Planning  
Michael E. Roeder, AICP

May 6, 2003

**VIA HAND DELIVERY**

Fred Roenigk  
Senior Code Enforcement Officer  
Lee County Code Enforcement  
Department of Development Services  
P.O. Box 398  
Fort Myers, FL 33902

**Re: Quality Life Center of Southwest Florida, Inc. ("QLC")  
Lot 11, Block A, Carver Park, Lee County, Florida**

Dear Mr. Roenigk:

This correspondence is in furtherance of our telephone conversation last week regarding QLC's ownership of the above-referenced lot. As we discussed, the subject property, a 50-foot by 150-foot vacant lot on Cuba Street, is north of and nearly adjacent to QLC's new facility currently undergoing renovations. This lot is of little value individually (it is assessed at \$2,080.00 under current tax rolls), but it would be an important part of the grounds for our new facility, especially after the widening of Dr. Martin Luther King, Jr. Boulevard, and the new restrictions on access and parking.

The Fort Myers Alumni Chapter of Kappa Alpha Psi Fraternity, Inc. received the property as a donation from the Citizens & Southern National Bank of Florida, following the Bank's foreclosure of a mortgage on the property back in 1990. The Fraternity, having no use for the lot, deeded the property to QLC in June of 2000. Unfortunately, over the years, the property had accrued numerous taxes and special assessments. QLC has paid the back taxes, and the special assessment for the East Lee County Sewer System of over \$1,300.00. However, there are still outstanding special assessment liens against the property resulting from the County's demolition of a building on the property in 1992, recorded at Official Records Book 2326, Page 3974, Public Records of Lee County, Florida. Additionally, the property is subject to special assessment liens for lot mowing back in 1996, and 1997, recorded at Official Records Book 2727, Page 854 and Official Records Book 2827, Page 1238, respectively. With interest accruing, the 1992 special assessment lien in the original amount of \$3,890.00 now stands at \$8,097.50, and the two lot mowing liens in the original amounts of \$205.95 each, now total \$728.64, which brings the amount of the liens to approximately \$8,826.14 on this property.

As the amount of these liens far exceed the value of this 50 foot wide lot, we submit that the

Fred Roenigk  
May 6, 2003  
Page 2

property is currently of no value and will remain without a productive use unless these liens are released.

Therefore, on behalf of QLC, a 501(c)(3) not-for-profit corporation, we request that the County excuse the payment of these liens. The Lee County Board of County Commissioners has previously recognized QLC's efforts on behalf of the community youth in its Resolution dated November 18, 1997, a copy of which is attached. I am also attaching a Proclamation from the City of Fort Myers, and special recognition from former Governor Lawton Chiles. QLC has continued to serve the community as stated in these documents.

Thank you for your assistance.

Very truly yours,

KNOTT, CONSOER, EBELINI,  
HART & SWETT, P.A.

A handwritten signature in black ink, appearing to read "Mark A. Ebelini", with a stylized flourish at the end.

Mark A. Ebelini  
Board Chairman of Quality Life Center  
of Southwest Florida, Inc.

MAE/dmf  
Enclosure

6.00

3263441

RESOLUTION NO. 92-07-33

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

LEVYING A SPECIAL ASSESSMENT LIEN AGAINST THE PROPERTY OF  
Ft. Myers Alumni Chapter of Kappa Alpha Psi Fraternity Inc.  
(From the most recent tax records)

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE  
COUNTY, FLORIDA, that:

SECTION 1.

This Resolution is adopted pursuant to the provisions of Lee  
County Construction Code Ordinance No. 87-9 which adopts the 1985 Standard  
Unsafe Building Abatement Code.

SECTION 2.

It is hereby found and determined as follows:

A. All conditions precedent to the levying of a Special  
Assessment Lien on the property described herein pursuant to the  
provisions of the Lee County Construction Code and Standard Unsafe  
Building Abatement Code have been followed.

B. Written demands have been made on the record owner or owners  
of the herein described property for payment of the cost incurred by the  
County in correcting conditions in violation of the Lee County  
Construction Code and Standard Unsafe Building Abatement Code and said  
owner or owners have not reimbursed the County for such cost.

SECTION 3.

A special Assessment Lien pursuant to and in accordance with the  
provisions of the Lee County Construction Code and Standard Unsafe  
Building Abatement Code (in the principal amount of \$ 3,890.00  
which shall bear interest at the rate of 10% per annum) is hereby levied  
against the following described property:

2002/04 Cuba Street  
Strap No: 19-44-25-01-0000A.0110  
CARVER PARK, BLK A, LOT 11 PB 8 PG 87

SECTION 4.

"A certified copy of this resolution shall be recorded in the  
Official Records Book of Lee County, Florida, and a copy thereof mailed by  
the Clerk to the owners of the subject property as shown on the most  
recent tax records of Lee County, Florida."

DULY PASSED AND ADOPTED THIS 15th day of July, 1992.

ATTEST:

CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: Lisa R. Peirce  
Deputy Clerk

By: [Signature]  
Chairman

APPROVED AS TO FORM

[Signature]  
OFFICE OF COUNTY ATTORNEY

C4m  
7-15-92

2007093974

2324  
P 3974

CHARLIE GREEN LEE CITY FL  
92 SEP 15 AM 9:17

RECORD VERIFIED - CHARLIE GREEN, CLERK  
BY: KAY TANNER, D.C.

10.50

OR2827 PG1237

4173948

RECORD VERIFIED - CHARLIE GREEN, CLERK  
BY: C. KELLER, P.C.

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA  
LEVYING A SPECIAL ASSESSMENT LIEN AGAINST THE PROPERTY OF

FT MYERS ALUMNI CHAPTER OF KAPPA ALPHA PSI FRATERNITY INC  
(FROM THE MOST RECENT TAX RECORDS)

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
LEE COUNTY, FLORIDA, that:

SECTION 1.

This Resolution is adopted pursuant to the provisions of  
Lee County Ordinance No. 93-23, as amended, (Lee County Lot  
Mowing Ordinance).

SECTION 2:

It is hereby found and determined as follows:

A. All conditions precedent to the levying of a Special  
Assessment Lien on the property described herein pursuant to the  
provisions of the Lee County Lot Mowing Ordinance have been  
complied with.

B. Written demands have been made on the record owner  
or owners of the herein described property for payment of the  
cost incurred by the County in correcting conditions in violation  
of the Lee County Lot Mowing Ordinance and said owner or owners  
have not reimbursed the County for such cost.

SECTION 3.

A Special Assessment Lien pursuant to and in accordance  
with the provisions of the Lee County Lot mowing Ordinance, in  
the principal amount of \$205.95, which shall bear interest at the  
rate of 12% per annum, is hereby levied against the following  
described property:

19-44-25-01-0000A.0110  
2004 Cuba St.

LEGAL DESCRIPTION: LOT 11, BLOCK A, CARVER PARK,  
ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 87,  
PUBLIC RECORDS OF COUNTY, FLORIDA

CHARLIE GREEN LEE CTY. FL

97 MAY 27 AM 9:26

OR2827 Pg 1238

SECTION 4.

A certified copy of this resolution shall be recorded in the Official Records Book of Lee County, Florida, and a copy thereof mailed by the Clerk to the owners of the subject property as shown on the most recent tax records of Lee County, Florida.

IN WITNESS WHEREOF, Lee County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman of said Board this 23<sup>rd</sup> day of May, 1997.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: *Spice S. Purice*  
DEPUTY CLERK

BY: *[Signature]*  
CHAIRMAN

APPROVED AS TO FORM:  
BY: *[Signature]*  
OFFICE OF THE COUNTY ATTORNEY

Lee  
\*\*\*de\*\*  
Charlie Green, Clerk of the Circuit Court  
Lee County, Florida, do hereby certify  
this document to be a true and correct copy  
of the original as maintained in the  
minutes department.  
Given under my hand and official seal at  
Tallahassee, Florida, this 23<sup>rd</sup> day of  
May, 1997.  
CHARLIE GREEN, CLERK  
*Spice S. Purice*  
Deputy Clerk

RECEIVED  
JUN 11 1997  
CHARLIE GREEN  
CLERK CIRCUIT COURT  
BY *[Signature]* D.C.  
MINUTES DEPARTMENT

10.50R

4000526

DR2727 PG0854

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
 OF LEE COUNTY, FLORIDA  
 LEVYING A SPECIAL ASSESSMENT LIEN AGAINST THE PROPERTY OF  
 Ft. Myers Alumni Chapter of Kappa Alpha Psi Fraternity Inc.  
 (FROM THE MOST RECENT TAX RECORDS)

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY,  
 FLORIDA, that:

SECTION 1.

This Resolution is adopted pursuant to the provisions of Lee County Ordinance No. 93-23, as amended, (Lee County Lot Mowing Ordinance).

SECTION 2.

It is hereby found and determined as follows:

A. All conditions precedent to the levying of a Special Assessment Lien on the property described herein pursuant to the provisions of the Lee County Lot Mowing Ordinance have been complied with.

B. Written demands have been made on the record owner or owners of the herein described property for payment of the cost incurred by the County in correcting conditions in violation of the Lee County Lot Mowing Ordinance and said owner or owners have not reimbursed the County for such cost.

SECTION 3.

A Special Assessment Lien pursuant to and in accordance with the provisions of the Lee County Lot mowing Ordinance, in the principal amount of \$205.95, which shall bear interest at the rate of 12% per annum, is hereby levied against the following described property:

19-44-25-01-0000A.0110  
 2004/6/8 Cuba St.

LEGAL DESCRIPTION: LOT 11, BLOCK A, CARVER PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 87, PUBLIC RECORDS OF LEE COUNTY, FLORIDA

RECORDS VERIFIED - CHARLIE BOYD, CLERK  
 BY G. SHREVE, D.D.

96 JUL 18 PM 2:27

DR2727 PG0855

SECTION 4.

A certified copy of this resolution shall be recorded in the Official Records Book of Lee County, Florida, and a copy thereof mailed by the Clerk to the owners of the subject property as shown on the most recent tax records of Lee County, Florida.

IN WITNESS WHEREOF, Lee County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman of said Board this 17th day of July, 1996.

ATTEST:  
CHARLIE GREEN, CLERK  
BY: [Signature]  
DEPUTY CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY FLORIDA  
BY: [Signature]  
CHAIRMAN

APPROVED AS TO FORM:  
BY: [Signature]  
OFFICE OF THE COUNTY ATTORNEY

\*\*\*mn\*\*

State of Florida  
County of Lee

I Charlie Green, Clerk of the Circuit Court for Lee County, Florida, do hereby certify this document to be a true and correct copy of the original document filed in the Minutes Department.

Given under my hand and official seal at Fort Myers, Florida, this 18th day of July, A.D. 1996

CHARLIE GREEN, CLERK  
By: [Signature]  
Deputy Clerk

RECEIVED

JUL 31 1996

CHARLIE GREEN  
CLERK CIRCUIT COURT

BY: [Signature] D.C.

Minutes

PROPERTY DATA FOR PARCEL 19-44-25-01-0000A.0110  
TAX YEAR 2002

Parcel data is available for the following tax years:

[ 2001 | 2002 ]

[ Next Lower Parcel Number | Next Higher Parcel Number | Display Tax Bills on this Parcel ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2002 ROLL.

Owner of Record		Legal Description		Image of Structure	
QUALITY LIFE CENTER OF SW FLORIDA INC 3210 DR MARTIN L KING JR BLVD FT MYERS FL 33916		CARVER PARK BLK.A PB 8 PG 87 LOT 11		(Not Presently Available)	
Site Address					
2004 CUBA ST 6/8 Fort Myers, FL 33916					
Taxing District		DOR Code			
140 - TICE FIRE/E CO SEWER MSTU/FRANK PK ENTR ZONE		00 - VACANT RESIDENTIAL			
Property Values		Exemptions		Dimensions	
Just	2,080	Homestead	0	Measurement Units	FF
Assessed	2,080	Agricultural	0	Number of Units	50.00
Assessed SOH	2,080	Widow	0	Frontage	50
Taxable	2,080	Widower	0	Depth	145
Building	0	Disability	0	Bedrooms	
Land	2,080	Wholly	0	Bathrooms	
Building Extra Features	0	Energy	0	Total Sq. Ft.	
Land Extra Features	0	SOH Difference	0	Year Improved	1965
Sales Transactions					
Sale Price	Date	OR Book / Page	Transaction Details		Vacant / Improved
			Type	Description	
100	6/15/2000	3268/184	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other DisQ)	V
100	10/1/1990	2182/2857	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other DisQ)	I

# MEMORANDUM

FROM  
THE DEPARTMENT OF  
COMMUNITY DEVELOPMENT  
DEVELOPMENT SERVICES

LEE CO. ATTORNEY

03 MAY - 7 PM 4:15

DATE: May 7, 2003

TO: Dawn Perry-Lehnert  
Asst. County Attorney

FROM: Fred Roenigk  
Senior Code Enforcement  
Officer

RE: Request to mitigate Demolition Lien and Lot Mowing Liens

Please find the attached request from Mark A. Ebelini, Board Chairman of Quality Life Center.

The parcel (Lot 11, Block A, Carver Park) which adjoins QLC , was recently annexed into the City Of Fort Myers.

There currently are three County Special Assessment Liens against the parcel. The liens have a principal amount of \$4301.90, current interest amount of \$4462.37 and total amount of \$8764.27. The Property Appraiser currently shows an assessment of \$2080.00.

Mr. Ebelini is requesting that the County excuse the lien.

Given the appraised value, I agree with Mr. Ebelini's assessment that the lot is likely to remain unproductive without some mitigation of the liens.

We normally recommend that we at least recoup the County's costs, but in this case even the principal is more than twice the assessed value. The degree of mitigation would need to be decided by the Board of County Commissioner's

Please schedule Mr. Ebelini before the Board of County Commissioners per his request.  
Thanks!

cc: Bob Stewart, Dept. Dir. Development Services Div.  
Rick Roberts, Chief Code Enforcement Officer



THE GOVERNOR OF THE STATE OF FLORIDA

LAWTON CHILES

### QUALITY LIFE CENTER

WHEREAS, the Quality Life Center is a grassroots, community-based, multi-ethnic organization established to promote self-discipline, personal and community responsibility, strong family values, and the pursuit of excellence through education; and

WHEREAS, it has served over 1,300 youths since its founding in 1991 through its programs and mentoring by providing examples of positive adult leadership; and

WHEREAS, the Center provides critical prevention and diversion programs and recognizes youths as our state's most valuable and precious resources and our hope for the future; and

WHEREAS, the Quality Life Center marks a milestone in its history with the establishment of a new center due to the many dedicated participants of the federal "Weed and Seed" Initiative, turning places of crime and addiction into places of hope and community development;

NOW, THEREFORE, I, Lawton Chiles, Governor of the state of Florida, do hereby designate November 17-23, 1997, as *QUALITY LIFE WEEK* in Lee County in honor of the County's service to its youths and the milestone of its new center, commend the Center for its excellence of service and those involved in this endeavor, and extend my best wishes for continued success.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the state of Florida to be affixed at Tallahassee, the Capital, this 27th day of October in the year of our Lord nineteen hundred and ninety-seven.

*Lawton Chiles*  
GOVERNOR



*The Board of County Commissioners*

RESOLUTION

Whereas: The Quality of Life Center is a grassroots, community-based, multi-ethnic organization established to promote self-discipline, personal and community responsibility, strong family values, and the pursuit of excellence through education; and

Whereas: It has served over 1,300 youths since its founding in 1991 through its programs and mentoring by providing examples for positive adult leadership; and

Whereas: The center provides critical prevention and diversion programs and recognizes youths as our state's most valuable and precious resources and our hope for the future; and

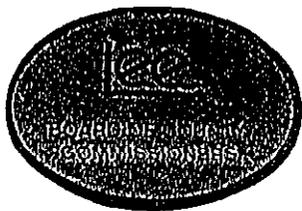
Whereas: The Quality Life Center marks a milestone in its history with the establishment of a new center due to the many dedicated participants of the federal "Weed and Seed" Initiative, turning places of crime and addiction into places of hope and community development.

Now, Therefore Be It Resolved by the Board of County Commissioners Lee County, Florida, that we do hereby proclaim November 17-23, 1997 as

QUALITY OF LIFE WEEK IN LEE COUNTY

in honor of the County's service to its youths and the milestone of its new center, commend the Center for its excellence of service and those involved in this endeavor, and extend my best wishes for continued success.

Duly Executed this 18<sup>th</sup> Day of November, 1997.



BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY, FLORIDA

*Andrew W. Coy*

CHAIRMAN

City of Fort Myers, Florida

# Proclamation

**Whereas:** family- and community-based programs in the City of Fort Myers designed to enhance self-esteem and personal development and to promote family enrichment, community involvement and cultural awareness are vital to our community; and

*Whereas*, Fort Myers youth -- regardless of age, ethnic background, color, sex, religious creed or national origin -- are important to our future; and

*Whereas*, this unique and valuable community asset has a vision to give our youth access to positive resources and to respond to the pressing social and emotional needs of children and their families; and

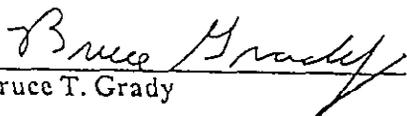
*Whereas*, public knowledge of the contributions made by Quality Life Center of Southwest Florida, Inc., is essential to our youth, families and community relationships;

*Now, therefore*, I, Bruce T. Grady, Mayor of the City of Fort Myers, hereby proclaim November 17-23, 1997, as:

*"Quality Life Center of Southwest Florida, Inc. Week"*

in the City of Fort Myers, Florida

Date: November 17, 1997

Mayor:   
Bruce T. Grady