

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

Blue Sheet No. 20050237

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve reduction of a County demolition assessment lien from approximately \$14,947 down to \$5,760 for a parcel located at 1302 Laurel Drive in North Fort Myers payable within 120 days of Board approval.

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

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

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

*C4C*

**3. MEETING DATE:**

*03-15-2005*

**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

**7. BACKGROUND:**

Lee County has recorded a special assessment lien on vacant property located at 1302 Laurel Drive, North Fort Myers. The demolition lien plus accrued interest is approximately \$14,947. Mr. Sam Lurie is requesting that the Board mitigate the demolition assessment lien from \$14,947 to \$5,760.

The Property Appraiser's assessed value for property is \$9,500.

Staff recommends reducing the lien to \$5,760 payable within 120 days of Board approval.

Attachments: Recorded Assessment lien (OR Bk 2204, Page 3354); Request for Mitigation

**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>W. ...</i>				<i>John ...</i>	<i>COA</i>	<i>COM</i>	<i>RISK</i>	<i>GC</i>	
				<i>2-21-05</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
 Date: *3/11/05*  
 Time: *12:00*  
 Forwarded To: *Sam Lurie*

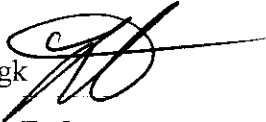
RECEIVED BY  COUNTY ADMIN  
*3/11/05*  
 COUNTY ADMIN  
 FORWARDED TO: *Sam Lurie*

# MEMORANDUM

FROM  
THE DEPARTMENT OF  
COMMUNITY DEVELOPMENT  
DEVELOPMENT SERVICES

DATE: January 10, 2005

TO: Bob Stewart  
Lee County Building Official

FROM: Fred Roenigk   
Senior Code Enforcement  
Officer

RE: Request to mitigate Demolition Lien

Please find the attached request from Sam Lurie.

This was taken before the BOCC on September 23, 2003 at the request of William Bohls who wanted to purchase the parcel at tax sale. The Board reduced the lien to \$5760.00 with payment due within 120 days of tax sale.

The item did not get to the Board until three months after the tax sale and Mr Bohls did not purchase the parcel.

Mr Lurie who purchased the parcel relied upon the Ownership and Encumbrance report furnished through the Tax Collector. The report failed to list the County's lien and we were not notified of the overbid available. He recently became aware of the lien and has contacted us. We have applied for the remaining overbid funds.

Mr Lurie is requesting a mitigation of the lien similar to the previous.

Currently the lien with interest is \$14,947.92 and the current assessment is \$9500.00

Given the assessed value and the odd size (66 x 635), it appears that, without some mitigation of the lien, the parcel will remain unusable and will likely be abandoned

If the Board is agreeable to the request, we should probably require payment within 4 months. This should be sufficient to see what, if any, overbid funds will be received.

Thanks!

cc: Rick Roberts, Chief Code Enforcement Officer  
John Fredyma, Assistant County Attorney

**SAM LURIE**  
**239-463-3520**  
FAX 239-463-4477

1-10-2005

Cover + Tax Deed + O&E report (3 pages) + Plat = 6 pages total

**To: Fred Roenigk @ Lee Co. Code Enforcement**

344-5866 fax 344-5880 - 9 p.m. 1-9-05 ✓

Re: 1302 Laurel Dr., N. Ft. Myers strap 26-43-24-00-00043.0000

Mr. Roenigk:

Per our recent conversation, attached are the above documents.  
Please forward to Lee BOCC along with the following history of my  
ownership.

I purchased the above property from Lee County 6-17-2003 per attached tax  
deed. Prior to purchase, I researched the Ownership and Encumbrance  
report per attached O&E. It showed no liens or assessments. I recently first  
became aware of the code lien when contracting to sell to the next door  
neighbor a few days ago.

Although the reduction in payment was valid for 120 days from tax deed  
sale, I had no knowledge or notification. I just became aware of the details  
at your office on 1-7-05.

**Please submit on my behalf, a request to extend the payment date on  
the reduced amount. I can have certified funds within 48 hours of a  
BOCC decision.**

This is a somewhat narrow parcel with limited utility other than an addition  
to adjacent parcel.

Thank you for your assistance and consideration in this matter.

Sincerely,



Sam Lurie

PO Box 6221 FT. MYERS BEACH, FL 33932



**TAX DEED  
SEC. 197 FS**



Return to: TAX DEPT

This instrument prepared by :  
Delinquent Tax Department  
Charlie Green, Clerk of Circuit Court  
P.O. Box 2278, Ft. Myers, FL 33902

INSTR # 5857505  
Official Records BK 03962 PG 2488  
RECORDED 06/17/2003 02:02:38 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY  
RECORDING FEE 6.00  
DEED DOC 26.60  
DEPUTY CLERK L Maxim

Tax Deed File #: 2002-003233  
Property Identification #: 26-43-24-00-00043.0000

STATE OF FLORIDA  
COUNTY OF LEE

The following Tax Sale Certificate Numbered 01047 issued in 2000 was filed in the office of the Tax Collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the costs and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was on the 17th day of June, 2003, offered for sale as required by law for cash to the highest bidder and was sold to:

SAMUEL L LURIE TRUSTEE OF  
THE SAMUEL L LURIE REVOCABLE LIVING TRUST DATED 7/1/02  
PO BOX 6221  
FT MYERS BEACH, FL 33932

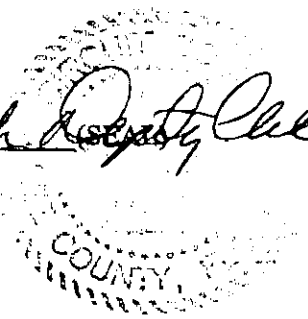
being the highest bidder and having paid the sum of his bid as required by the Laws of Florida.

NOW, this 17th day of June, 2003, the County of Lee, State of Florida, in consideration of the sum of \$3,760.50 being the amount paid pursuant to the Laws of Florida does hereby sell the following lands situated in the County and State and described as follows:

From the POB (at the SW corner of the E 660' of the N 1/2 of the N 1/2 of the SW 1/4 of Section 26, Township 43 South, Range 24 East) go N 660' thence E 66' thence S 660' thence W 66' to the POB being the same property as inst. #352337 OR 258, Pg 377, in the public records of Lee County, Florida.

*Sally Heck Deputy Clerk*

Clerk of Circuit Court  
Sally Heck, Deputy Clerk  
Lee County, Florida



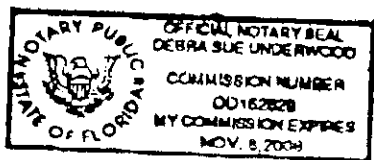
Witness:  
*Cathy Constock* CATHY CONSTOCK  
*Lisa Maxim* LISA MAXIM

STATE OF FLORIDA  
COUNTY OF LEE

On this 06/17/2003, before me a notary personally appeared Sally Heck, Deputy Clerk in and for the State and this County known to me to be the person described in, and who executed the foregoing instrument, and acknowledged the execution of this instrument to be her own free act and deed for the use and purposes therein mentioned.

Witness my hand and official seal date aforesaid.

*Debra Sue Underwood*



PREMIER TITLE ASSOCIATES,  
3665 Bonita Beach Road, Suite 3  
Bonita Springs, Florida 34134  
(941) 947-7007; Fx: (941) 947-0626

---

File # PT 02-1761

This report is issued to: Lee County Tax Collector  
2480 Thompson Street  
Fort Myers, Florida 33901

OWNERSHIP AND ENCUMBRANCE REPORT

This report may not be relied on by any other party, no liability is assumed by Premier Title Associates, Inc., for any unauthorized use or reliance. This Ownership and Encumbrance Report is issued pursuant to Florida Statute Section 627.7843. The liability amount of this report is limited to \$1,000.00.

Tax Deed Application No.: D02-003233

Applicant's Name: County of Lee

Tax Certificate No.: 00-001047 01-001102 02-001167

Legal Description: From the POB (at the SW corner of the E 660' of the N ½ of the N ½ of the SW ¼ of Section 26, Township 43 South, Range 24 East) go N 660' thence E 66' thence S 660' thence W 66' to the POB being the same property as inst. #352337 OR 258, Pg 377, in the public records of Lee County, Florida.

Site Address: 1302 Laurel Drive  
North Fort Myers, Florida 33917

Taxes: Strap # 26-43-24-00-00043.0000  
Subject to 2002 Taxes.

Outstanding Tax Certificates: 96-001076 97-000841 98-001456 99-001554  
00-001047 01-001102 02-001167

Homestead Exemption: NO

Property Improved: NO

Assessed Value: \$5,760.00

This report is prepared in accordance with the instructions given by the user named above, includes a listing of the owner(s) of record and of the land described herein together with the current ad valorem tax information and a listing and copies of all open or unsatisfied mortgages, assessments, judgments, and encumbrances recorded in the Official Records of Lee County, that appear to encumber the title of said land. If a copy of any document listed is not received, the office issuing the report must be contacted immediately. This report does not include easements, restrictions, or other documents not listed above.

This report does not insure or guarantee the validity or sufficiency of any documents attached, nor is it to be considered a title insurance policy, an opinion of title, a guarantee, or warranty of title. This report shall not be used for the issuance of any title insurance policy or form.

Use of the term "report" hereafter refers to this Ownership and Encumbrance Report and the documents attached thereto.

Period of Search: December 9, 1982 through December 9, 2002

Apparent Owner of Record: Voncile G. Metcalf  
(Address found of record) Box 1291  
Newberry, Florida 32669

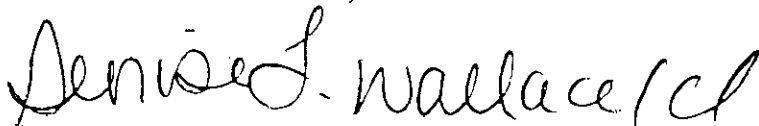
And 1302 Laurel Drive  
North Fort Myers, Florida 33903

Owners as Listed on Tax Bill: Metcalf, Voncile G.  
Post Office Box 693  
Archer, FL 62618

Encumbrances: See Exhibit "A".

Effective this December 20, 2002, in witness whereof Premier Title Associates, Inc., has caused this certificate to be signed.

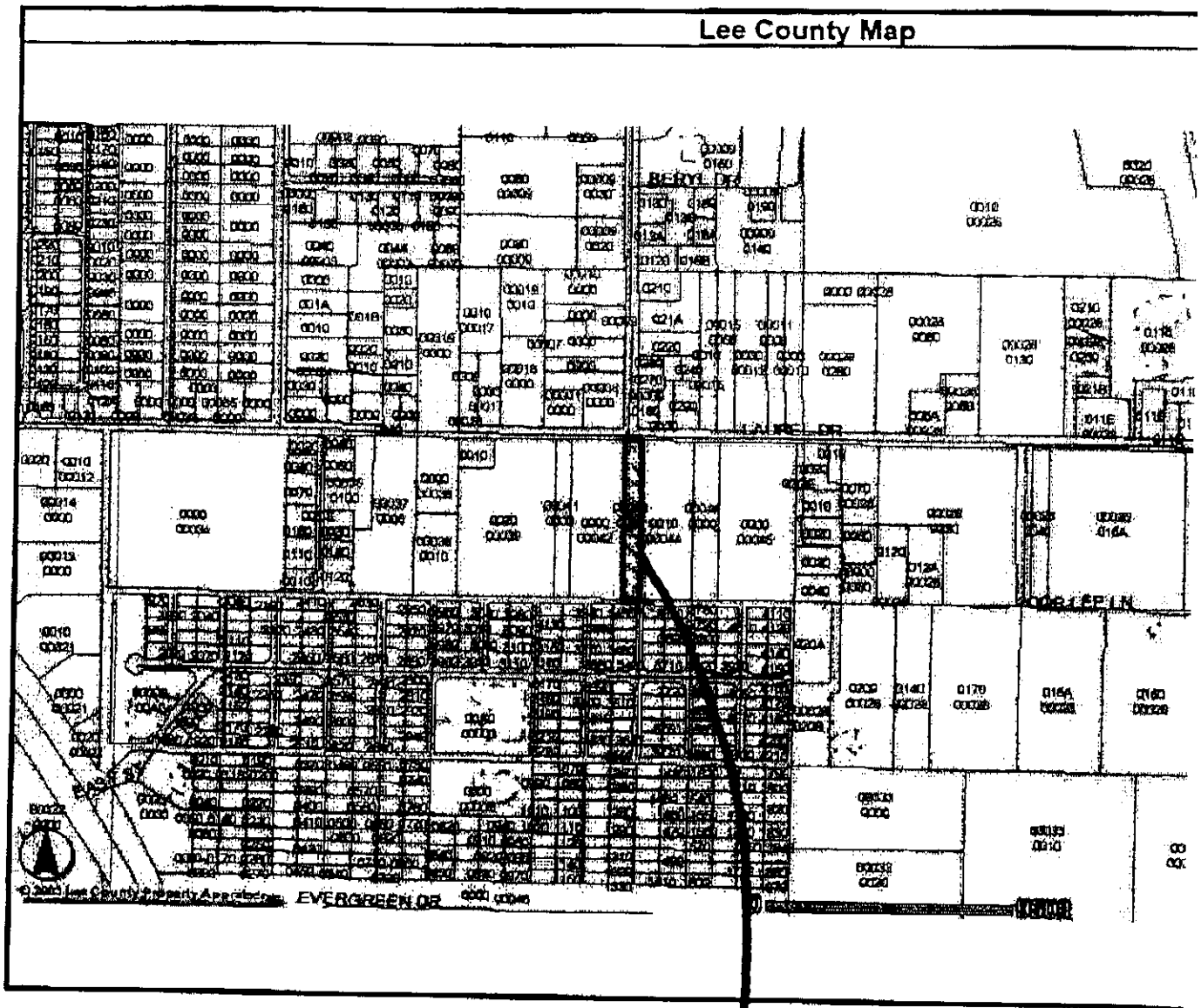
Premier Title Associates, Inc.



Denise L. Wallace

DLW/cl

### Lee County Map



**SUBJECT PARCEL**

Lee County Board of County Commissioners  
Agenda Item Summary

Blue Sheet No. 20031054

1. REQUESTED MOTION:

LEE COUNTY  
RECEIVED

**ACTION REQUESTED:** Approve reduction of a County demolition assessment lien from approximately \$13,500 down to \$5,760 for a parcel located at 1302 Laurel Drive in North Fort Myers payable within 120 days of tax deed sale.

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

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

2. DEPARTMENTAL CATEGORY:  
COMMISSION DISTRICT #

C4D

3. MEETING DATE:

09-23-2003

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 a special assessment lien on vacant property located at 1302 Laurel Drive, North Fort Myers. The demolition lien plus accrued interest is approximately \$13,500. Mr. William Bohl is requesting that the Board mitigate the demolition assessment lien from \$13,500 to \$5,000.

The Property Appraiser's assessed value for property is \$5,760.

Staff recommends reducing the lien to \$5,760 payable within 120 days of tax sale.

Attachments: Recorded Assessment lien (OR Bk 2204, Page 3354); Request for Mitigation

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>Mary Galt</i>				<i>[Signature]</i>	<i>affm 9/11/03</i>	<i>[Signature]</i>
				<i>[Signature]</i>	OM N/A RISK N/A GC N/A	<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: 9/10/03  
Time: 2:25 pm  
Forwarded to:  
*[Signature]*  
9/10/03

RECEIVED BY  
COUNTY ADMIN: *[Signature]*  
4:55 PM  
COUNTY ADMIN  
FORWARDED TO: *[Signature]*  
9-10-03  
4:30 PM



**PROPERTY DATA FOR PARCEL 26-43-24-00-00043.0000  
TAX YEAR 2004**

Parcel data is available for the following tax years:

[ 2001 | 2002 | 2003 | 2004 ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) | [Display Building Permits on this Parcel](#)

| [Display Tax Bills on this Parcel](#) | **[NEW! Tax Estimator](#)** ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2004 ROLL.

**PROPERTY DETAILS**

**OWNER OF RECORD**

LURIE SAMUEL L TR  
FOR SAMUEL L LURIE TRUST  
PO BOX 6221  
FORT MYERS BEACH FL 33932

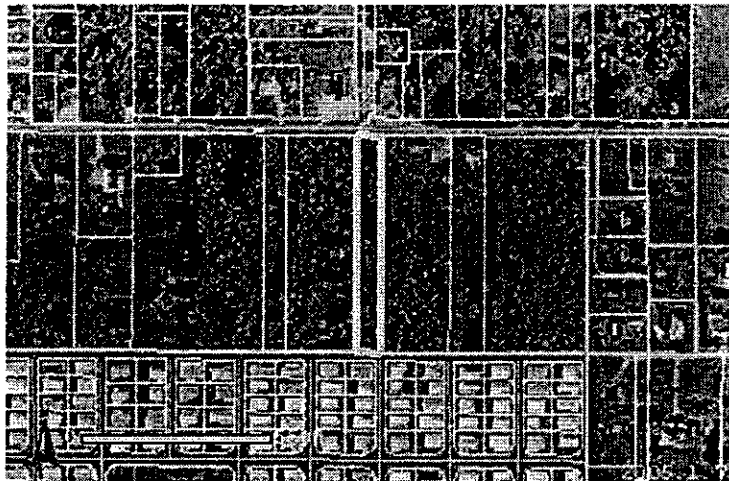
**SITE ADDRESS**

1302 LAUREL DR  
NORTH FORT MYERS FL 33917

**LEGAL DESCRIPTION**

PARL IN S W 1/4 DESC IN  
OR 1195 PG 1929

[ [VIEWER](#) ] [TAX MAP](#) [ [PRINT](#) ]



[ [PICTOMETRY](#) ]

**TAXING DISTRICT**

040 - E/LY N FT MYERS/N FT MYERS FIRE

**DOR CODE**

00 - VACANT RESIDENTIAL

**PROPERTY VALUES**  
[ [NEW! HISTORY CHART](#) ]

**EXEMPTIONS**

**ATTRIBUTES**

JUST	9,500	HOMESTEAD	0	UNITS OF MEASURE	AC
ASSESSED	9,500	AGRICULTURAL	0	NUMBER OF UNITS	0.96
ASSESSED SOH	9,500	WIDOW	0	FRONTAGE	66
TAXABLE	9,500	WIDOWER	0	DEPTH	635
BUILDING	0	DISABILITY	0	BEDROOMS	
LAND	9,500	WHOLLY	0	BATHROOMS	

OR2204 PG 3354

RESOLUTION NO. 91-02-14

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA 2982077

LEVYING A SPECIAL ASSESSMENT LIEN AGAINST THE PROPERTY OF

Vonnie G. Metcalf  
(From the most recent tax records)

91 FEB 22 PM 3:43

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 \$ 4,250.00 which shall bear interest at the rate of 10% per annum) is hereby levied against the following described property:

1302 Laurel Drive, Fort Myers, FL 33901  
SEKRD No: 26-43-24-00-00043.0000  
PARCEL IN SW 1/4 AS DESCRIBED IN OR 1195 PG 1972

This Resolution shall be recorded in the Official Records of Lee County, Florida, and a copy thereof mailed by the Clerk to the owner of the subject property as shown on the most recent tax records of Lee County, Florida.

DULY PASSED AND ADOPTED THIS 13th day of February, 1991.

ATTEST:  
CHARLES DEWEE, CLERK

By: [Signature]  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: [Signature]  
Chairman

RECORDERS MEMO:  
COPIES OF THIS RESOLUTION TO SIGN/PREPARE  
DOCUMENT UNSATISFACTORY FOR REPRODUCTION  
FROM FILM

APPROVED AS TO FORM  
[Signature]  
OFFICE OF COUNTY ATTORNEY

C3a  
2-13-91

LAW OFFICES OF  
**ANDERSON E. HATFIELD**

ANDERSON E. HATFIELD

414 N. W. 13TH STREET  
GAINESVILLE, FLORIDA 32609  
TELEPHONE  
(904) 377-5704

May 13, 1994

John Turner, Esquire  
Assistant County Attorney  
Lee County  
Post Office Box 398  
Ft. Myers, Florida 33902

Re: Estate of Voncile Metcalf  
County Special Assessment Lien

Dear John:

I am an attorney in Gainesville, Florida, and represent the Estate of Voncile Metcalf. Mrs. Metcalf owned a piece of property in Ft. Myers that was condemned and torn down by the County, resulting in a special assessment lien of \$6,250.00. With interest, that figure is now \$8,280.44.

There are no assets in this estate except a 1976 Chevrolet and this piece of property. There is no money to even reimburse for the burial and interment expenses of Mrs. Metcalf and consequently, I would like to get enough money from this property to do that. The neighbor has made an offer of approximately \$8,500.00 on the property and if the County would reduce its lien to \$3,000.00, the estate could net enough money from the sale, by accepting the neighbor's offer, to at least take care of the out-of-pocket expense for the interment of the Deceased.

Let me hear from you at your earliest convenience as time is of the essence.

Sincerely,

  
Anderson E. Hatfield

AEH/mrh

BK



BOARD OF COUNTY COMMISSIONERS

P.O. Box 398  
Fort Myers, Florida 33902-0398  
(813) 335-2111  
813-335-2236

*Writer's Direct Dial Number*

John E. Manning  
*District One*

October 6, 1994

Thomas R. St. Cerny  
*District Two*

Judah  
*District Three*

Anderson E. Hatfield, Esq.  
4114 N.W. 13th Street  
Gainesville, FL 32609

Markin B. Mann  
*District Four*

John E. Albion  
*District Five*

RE: Estate of Voncile Metcalf  
Special Assessment Lien

Richard D. Stilwell  
*County Administrator*

Dear Mr. Hatfield:

James G. Yeager  
*County Attorney*

Please excuse this delay in responding to your inquiry regarding the special assessment lien which exists on the property in the Estate of Voncile Metcalf.

John M. Parker  
*County Hearing Officer*

At this point in time, the County is unable to accept the offer of \$3,000.00 for payment of the outstanding of \$8,280.00. The least amount that can be recommended to the Board of County Commissioners is \$5,000.00.

Please advise the undersigned if this is acceptable and I will process the request to the Board assuming there are no objections from other parties.

Thank you for your cooperation, and please advise at your earliest convenience.

Yours truly,

JOHN S. TURNER  
Assistant County Attorney

JST:sek

bcc: Fred,  
Please advise if \$5,000.00 settlement is agreeable on the property involved in this matter.

Thanks,  
JST