



SPECIAL MAGISTRATE HEARING AGENDA

Wednesday, January 22, 2025 at 3:00 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136

ALL MEETING ITEMS WILL BE CONTINUED UNTIL MEETING IS COMPLETE.

1. **Call the meeting to order**
2. **Roll Call**
3. **Approval of Meeting Minutes**
 - a. November 6, 2024
 - b. December 12, 2024 Emergency Hearing
4. **Deletions and changes to the agenda**
5. **Request To Identify Persons Having Cases on The Agenda**
6. **Parking Citation Appeals**
7. **New Cases - Code Enforcement**
8. **Status Updates - Code Enforcement**
 - a. CASE NO. **EEN24-0043**; Mike Jones Trust A/K/A Adel Assad; ADDRESS OF VIOLATION: 2244 S. Ocean Shore Blvd.; TAX PARCEL ID NO.: 19-12-32-4400-00010-0070; VIOLATION: CHAPTER 13 – NUISANCES SEC. 13-1. (4) DEFINITION
 - b. CASE NO. **EEN23-0019**; 1005 Oceanshore LLC; ADDRESS OF VIOLATION; 1005 N Ocean Shore Blvd; TAX PARCEL ID NO.: 01-12-31-1100-00040-0040; VIOLATION: City of Flagler Beach Code of Ordinances, Chapter 13, Nuisances, Article I. In General, Section 13-1 Definition (4)
 - c. CASE NO. **EEN23-0022**; Julie Guimond; ADDRESS OF VIOLATION: 2261 S Flagler Avenue; TAX PARCEL ID NO. 19-12-32-4550-00030-0230; VIOLATION: 2020 Florida Building Code, Building 7th Edition, Sec. 105 Permits [A] 105.1 Required
 - d. CASE NO. **EEN24-0036**; Eggert Iris Claxton Life Estate c/o Liz Rubeis; ADDRESS OF VIOLATION: 1201 S Central Avenue; TAX PARCEL ID NO. 12-12-31-4500-00190-0260; VIOLATION: City of Flagler Beach Code of Ordinances Article I. – In General Section 13-1 Definition (4)
 - e. CASE NO. **EEN23-0011**; Sachem Capital Corp; ADDRESS OF VIOLATION; 3590 S Ocean Shore Blvd; TAX PARCEL ID NO.: 29-12-32-0000-01032-0000; VIOLATION: City of Flagler Beach Code of Ordinances, Chapter 13, Section 13-1, Definition (2), (3), (4).
 - f. CASE NO. **EEN22-0106**; Cortez Artedi & Welhelmina; ADDRESS OF VIOLATION; 1336 S. Flagler Ave; TAX PARCEL ID NO.: 18-12-32-2750-00181-0090; VIOLATION: City of Flagler Beach Code Of Ordinances, Chapter 13 Nuisances, Article 1 – In General, Section 13-1 Definition (4)
9. **Other Business**
10. **Adjournment**

RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Commission makes about any matter at this meeting, you will need a record of the

proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript. The City is not responsible for any mechanical failure of the recording equipment. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at (386) 517-2000 ext 233 at least 72 hours prior to the meeting. The City Commission reserves the right to request that all written material be on file with the City Clerk when the agenda item is submitted.



SPECIAL MAGISTRATE HEARING MINUTES

Wednesday, November 06, 2024 at 3:00 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136

1. Call the meeting to order

Magistrate Popp called the hearing to order at 3:00pm.

2. Roll Call

Attorney Holli New o.b.o. City Attorney Drew Smith, Code Enforcement Officer John Gifford, Chief Building Official Rick McFadden, City Planner Lupita McClenning and Clerk to the Magistrate Michele Ficocello.

3. Approval of Meeting Minutes

a. September 25, 2024

Approved

4. Deletions and changes to the agenda

Item 6a. pulled from the agenda. The Appellant paid the citation prior to the hearing.

5. Request To Identify Persons Having Cases on The Agenda

6. Parking Citation Appeals

a. **CITATION NO:** P01244FB; **APPELLANT:** KASSIDY PRESS ****VIA TELEPHONIC APPEARANCE****; **POLICE OFFICER:** OFFICER K. JONES #7069

Item 6a. pulled from the agenda. The Appellant paid the citation prior to the hearing.

b. **CITATION NO:** P01200FB; **APPELLANT:** MARK FIELDING; **POLICE OFFICER:** OFFICER K. JONES #7069

The Appellant was present and sworn in by the Clerk. Ofc. Jones was not present. The Appellant testified he is a musician playing at the venue where he received the citation. The Appellant stated he was not parking in the street, but was moving his equipment as he had done many times before while working at the same venue. Magistrate Popp explained the safety concerns with parking in the street. Discussion ensued. Magistrate Popp explained while Ofc. Jones was not present, he had reached out to Staff and requested the case be nolle prosequi. Magistrate Popp inquired if the City had any objection and Attorney New stated there was no objection. Magistrate Popp ordered the citation dismissed. The Clerk will mail the order to the Appellant.

7. New Cases - Code Enforcement: NONE

8. Status Updates - Code Enforcement

a. Case #EEN23-0019; 1005 Oceanshore LLC; ADDRESS OF VIOLATION; 1005 N Ocean Shore Blvd; TAX PARCEL ID NO.: 01-12-31-1100-00040-0040; VIOLATION: City of Flagler Beach Code of Ordinances, Chapter 13, Nuisances, Article I. In General, Section 13-1 Definition (4)

All parties testifying in this case were sworn in by the Clerk. The City Planner presented the item and staff findings to include a timeline of events in this case. Staff findings included a recommendation for the imposition of fines until the property is brought into compliance due to life safety concerns. Discussion ensued regarding communication between the City and the Respondent. The Code Enforcement Officer provided testimony and photographic evidence as to the current state of

the violation. Attorney New stated the reason the case was moved from the originally ordered status hearing in January 2025 to the November 2024 hearing is the increased life safety concerns and the continued non-compliance from the Respondent after a timeline was provided. The Chief Building Official provided testimony as to the current state of the violation, the life safety concerns and recommended demolition of the structure due to the current conditions. Attorney New questioned Mr. McFadden as to the structure being an immediate threat to public safety. Mr. McFadden affirmed the structure is an immediate threat to public safety. Magistrate Popp expressed concerns over the site not being secured. Attorney Michael Chiumento was present and testified on behalf of the Respondent. Attorney Chiumento stated his client has been in compliance with the orders and new requirements have been requested by City Staff since July 2024. Discussion ensued as to the requirements set forth by the City to include a site plan submittal. Attorney Chiumento stated there have been different interpretations as to the requirements of the site plan per the City Code. Attorney Chiumento stated his client had reached out to City Staff to meet and discuss a new site plan which was denied. Magistrate Popp expressed he has been lenient with the Respondent up to this point. Attorney Chiumento requested Magistrate Popp comply with the status hearing order dated July 29, 2024. Magistrate Popp ordered an imposition of fines at \$250.00 a day, reserving the right to ultimately impose the fines dependent on compliance by the Respondent from now until the January 2025 status hearing date. Magistrate Popp ordered the fines starting as of this hearing date. Magistrate Popp further ordered that immediate compliance is required for securing the property to include completion of a perimeter fence with fifteen (15) days to comply, mitigation of wind/debris hazards with thirty (30) days to comply and a submitted site plan by the next status hearing date in January 2025.

- b. **CASE # EEN23-0022**; Julie Guimond; ADDRESS OF VIOLATION: 2261 S Flagler Avenue; TAX PARCEL ID NO. 19-12-32-4550-00030-0230; VIOLATION: 2020 Florida Building Code, Building 7th Edition, Sec. 105 Permits [A] 105.1 Required

Code Enforcement Officer Gifford testified the case had been closed, but reopened due to a new complaint by the neighbors. Mr. Gifford provided photographic evidence of the current state of the violation. Mr. Gifford stated some of the violations have been brought onto compliance since receiving the complaint. The Respondent was present and sworn in by the Clerk. The Respondent testified the insurance claim has not been settled yet, she is not currently living at the property and thought there was an understanding with the neighbors who had agreed to maintain the lawn. The Respondent stated since the neighbor’s fence has come down due to the recent hurricane, she can access the side and backyard to clean up and bring the property into compliance. Discussion ensued regarding the violations and compliance. The Respondent stated her goal is to demolish the house in the next six (6) months. The Respondent provided an updated mailing address, 201 S. Halifax Drive, Ormond Beach, FL 32176. Magistrate Popp ordered a status hearing for January 2025.

9. Other Business

Magistrate Popp inquired about the status of 3590 S. Ocean Shore Blvd. due to the life safety concerns and accrual of fines. Discussion ensued. City Staff reported the property will be noticed for the January 2025 hearing with a Request to Foreclose. City Staff reported there has been some contact with property representatives. The Building Official reported planning on visiting the site and posting it as an unsafe structure. Magistrate Popp ordered City Staff to move forward with the Request to Foreclose. The Clerk reported the property at 1336 S Flagler Avenue accruing fines since August 2022 will be noticed for the January 2025 hearing. Code Enforcement reported a couple status hearing cases being noticed for the January 2025 hearing. The Clerk reported no parking citation appeals received as of this date. The Clerk submitted the 2025 Magistrate Hearing Schedule. Modifications to the schedule included no meeting in December and the November hearing being moved to the 19th.

10. Adjournment

Magistrate Popp adjourned the hearing at 4:18pm.



SPECIAL MAGISTRATE HEARING MINUTES

Thursday, December 12, 2024 at 3:30 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136

EMERGENCY HEARING

1. Call the meeting to order

Magistrate Popp called the hearing to order at 3:30pm.

2. Roll Call

City Attorney Drew Smith, Code Enforcement Officer John Gifford, Code Enforcement Officer Gary Hinebaugh and Clerk to the Magistrate Michele Ficocello.

3. Deletions and changes to the agenda

None

4. Request To Identify Persons Having Cases on The Agenda

5. Approval of Meeting Minutes

None

6. New Cases - Code Enforcement

a. Case Number: EEN24-0043

Respondent: Mike Jones Trust A/K/A Adel Assad

Address of Violation: 2244 S. Ocean Shore Blvd.

Tax Parcel ID Number: 19-12-32-4400-00010-0070

Violation: CHAPTER 13 – NUISANCES SEC. 13-1. (4) DEFINITION - partition fences, buildings or other structures which have fallen into such a poor state of repair to the extent and in the manner that they may reasonably become infested or inhabited by rodents, vermin or wild animals, or may threaten or endanger the public health, safety or welfare, or may adversely affect and impair the economic welfare of adjacent property.

All parties testifying were sworn in by the Clerk. The Respondent was present and stated name, Adel Assad, and address, 2244 S. Ocean Shore Blvd., for the record. The Respondent submitted a letter to City Staff, and it is attached to the minutes. The City Attorney stated there are multiply code violations present at this property and the emergency hearing was called today for a specific violation related to windblown rooftop debris for which the City is seeking relief. The City Attorney further stated the debris has been removed as of this morning. Code Enforcement Officer John Gifford testified to the immediate threat to health and safety providing photographic evidence and outlining the complaint received by a neighbor of debris on the rooftop. Other violations were observed and noted by the photographic evidence. The Respondent confirmed he has removed the rooftop debris and requested the case be dismissed. Magistrate Popp addressed the other violations and the safety concerns associated with them. Magistrate Popp inquired about the Respondent's plans for curing the other violations. The Respondent testified he is in compliance. Magistrate Popp ordered Code Enforcement to schedule a meeting with the Respondent to review outstanding violations and come into compliance. Magistrate Popp ordered a status hearing for January 2025. Code Enforcement and the Respondent agreed to meet at the property on December 16, 2024 at 9:00am. The City Attorney

indicated if the property is verified to be in compliance prior to the January 2025 hearing, the case will be closed.

7. Other Business

The Clerk reported no current parking citation appeals on the January 2025 agenda. Code Enforcement reported multiple code enforcement cases will be on the agenda to include 3590 S. Ocean Shore Blvd, 1336 S. Flagler Avenue, 1005 N. Ocean Shore Blvd. and 1201 S. Flagler Avenue.

8. Adjournment

Magistrate Popp adjourned the hearing at 4:00pm.

City of Flagler Beach
Attention: Special Magistrate
105 South 2nd Street | P.O. Box 70
Flagler Beach, FL 32136

SUBMITTED BY HAND-DELIVERY

Date: December 10, 2024

Case No. EEN24-0043, 2244 S. Ocean Shore Blvd, Flagler Beach, Florida 32136

Dear Special Magistrate,

I received a notice of violation, dated September 23, 2024 from the code enforcement officer. Although I resolved the purported violation and I showed the resolution to the code enforcement officer, I was hand-delivered a notice of hearing before Your Honor scheduled for December 12, 2024 at 3:30 pm. **Two days notice for a hearing** before Your Honor is insufficient time for me to present my defense, demonstrate that the violation was resolved, and protect my legal rights to a full and fair hearing. Pursuant to Chapter 162, Florida Statutes, Chapter 2, Article IV, Division 2, Section 2-76 reads, “The special magistrate or code enforcement board shall proceed to hear the cases on the agenda for that day. All testimony shall be under oath and shall be recorded. The special magistrate or code enforcement board shall take testimony from the code enforcement officer and alleged violator. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern said proceedings.”

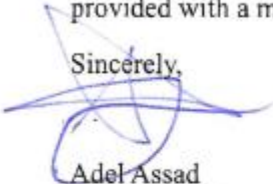
Procedural due process requires both fair notice and a real opportunity to be heard “at a meaningful time and in a meaningful manner.” *Keys Citizens for Responsible Gov’t, Inc. v. Fla. Keys Aqueduct Auth.*, 795 So.2d 940, 948 (citing *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976)). The specific parameters of the notice and opportunity to be heard required by procedural due process are not evaluated by fixed rules of law, but rather by the requirements of the particular proceeding. *Keys Citizens*, 795 So.2d at 948 (citing *Gilbert v. Homar*, 520 U.S. 924 (1997)).

In considering procedural due process under Chapter 162, Florida Statutes, the procedural gaps in Chapter 162 must be filled with common-sense application of basic principals of due process. *See Massey v. Charlotte Co.*, 842 So.2d 142, 145 (Fla. 2d DCA 2003) [citing *City of Tampa v. Brown*, 711 So.2d 1188 (Fla. 2d DCA 1998)]. Conducting a hearing **within two days** whereby fines could be levied or in which a lien could be imposed defies common-sense principles of due process and fairness.

I must be permitted to dispute any evidence, cross-examine witnesses, and be informed of all facts upon which Your Honor may rule. *See Massey v. Charlotte Co.*, 842 So. 2d 142, 147 (Fla. 2d Dist. App. 2003); *Kupke v. Orange Co.*, 838 So. 2d 598, 599–600 (Fla. 5th Dist. App. 2003); see generally Fla. Stat. § 162.07 (describing in general the conduct of county or municipal code enforcement hearings). Without additional time, I will be unable to adequately present my defense or dispute any evidence presented at the hearing

I am in the process of gathering evidence and witnesses to present my defense and to retain an attorney to represent me. A hearing within two days (December 12, 2024) does not provide me with a meaningful time or manner. I respectfully request a continuance of at least 30 days to prepare my defense and retain legal counsel to represent me. A 30-day continuance will not prejudice the government but instead will ensure my rights are adequately protected and that I am provided with a meaningful opportunity to be heard. Thank you for your consideration.

Sincerely,



Adel Assad
Mike Jones Trust
P.O. Box 1706
Flagler Beach, FL 32136

*Two pages
Hand delivered to*

*X refused to sign
(A) also*



Special Magistrate Hearing

Code Enforcement

January 22, 2025

Case Number: EEN24-0043

Respondent: MIKE JONES TRUST A/K/A ADEL ASSAD

Address of Violation: 2244 S. OCEAN SHORE BLVD

Tax Parcel ID Number: 19-12-32-4400-00010-0070

Violation: CHAPTER 13 – NUISANCES SEC. 13-1. (4) - DEFINITION. - PARTITION FENCES, BUILDINGS OR OTHER STRUCTURES WHICH HAVE FALLEN INTO SUCH A POOR STATE OF REPAIR TO THE EXTENT AND IN THE MANNER THAT THEY MAY REASONABLY BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS, OR MAY THREATEN OR ENDANGER THE PUBLIC HEALTH, SAFETY OR WELFARE, OR MAY ADVERSELY AFFECT AND IMPAIR THE ECONOMIC WELFARE OF ADJACENT PROPERTY.

Attachments: NOTICE OF STATUS HEARING – 12/23/2024
MAILING COSTS TO DATE

Total Cost of Mailings \$18.34

BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
OF THE CITY OF FLAGLER BEACH, FLORIDA

MIKE JONES TRUST
A/K/A ADEL ASSAD
P.O. BOX 1706
FLAGLER BEACH, FL 32136

CITY OF FLAGLER BEACH,)
FLORIDA, a municipal corporation,)
)
Petitioner,)
vs.)
MIKE JONES TRUST)
A/K/A ADEL ASSAD, owner,)
)
Respondent.)
_____)

CASE NO: EEN24-0043

NOTICE OF STATUS HEARING

Premises: 2244 S. OCEAN SHORE BLVD., FLAGLER BEACH, FL 32136

Pursuant to Chapter 162, *Florida Statutes*, the Code Enforcement Special Magistrate was created in Chapter 2, Article IV, Division 2, Sections 2-71 through 2-83, *City of Flagler Beach Code of Ordinances*, to hear Code Enforcement matters. The Special Magistrate shall conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring violations of any City Code into compliance, including imposing fines and other noncriminal penalties to enforce the *Code of Ordinances*.

YOU ARE HEREBY FORMALLY NOTIFIED that on **Wednesday, January 22, 2025, at 3:30 PM**, there will be a HEARING before the Special Magistrate in the City Commission Chambers, 105 2nd Street South, Flagler Beach, Florida, concerning your failure to comply with the Code Enforcement Officer's notice of violation dated **SEPTEMBER 23, 2024**, and consideration of imposition of fines for such non-compliance. Your failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

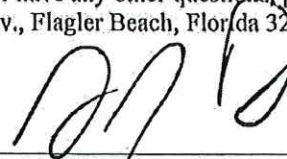
YOU ARE HEREBY NOTIFIED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case.

Should you be found in violation of the Code of Ordinances at the hearing, the Code Enforcement Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your real and personal property for every day the violation continues beyond the date set by the Special Magistrate for compliance. If the violation is corrected and then recurs, this case shall be presented to the Code Enforcement Special Magistrate at the above-stated hearing even if the violation has been corrected prior to the hearing.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this hearing. Please be prepared to present evidence at the hearing concerning the amount of time necessary to correct the alleged violation, should you be found in violation of the *Code of Ordinances*.

If you wish to have any witnesses subpoenaed, or have any other questions, please contact the office of Code Enforcement Officer within five (5) days, at 800 South Daytona Av., Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: December 23, 2024



Gary Hinebaugh,
Code Enforcement Officer

I hereby certify that a copy of the foregoing was hand delivered by the above signed Code Enforcement Officer on December 23, 2024.

City of Flagler Beach Code Enforcement

Case #: EEN24-0043

Respondent: MIKE JONES TRUST A/K/A ADEL ASSAD

Property Address: 2244 S OCEAN SHORE BLVD, FLAGLER BEACH, FL 32136

Mailing Address: P.O. BOX 1706, FLAGLER BEACH, FL 32136

Other Address:

Notice Type	Date	Regular			Certified			Total Mailing Cost
		Mail Pieces	Regular Mail Cost Per Piece	Total	Mail Pieces	Certified Mail Cost Per Piece	Total	
COURTESY	4/18/2024	1	\$0.64	\$0.64	0	\$8.16	\$0.00	\$0.64
VIOLATION	9/23/2024	2	\$0.69	\$1.38	2	\$8.16	\$16.32	\$17.70
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00

Total Cost To Date	\$18.34
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Special Magistrate Hearing

Code Enforcement

January 22, 2025

Case Number: EEN23-0019

Respondent: 1005 Oceanshore LLC

Address of Violation: 1005 Ocean Shore Blvd.

Tax Parcel ID Number: 01-12-31-1100-00040-0040

Violation: City of Flagler Beach Code of Ordinances, Chapter 13, Nuisances, Article I. In General, Section 13-1 Definition (4)

Attachments: Notice of Status Hearing – 12/23/2024

Certified Mailings

Findings of Fact Order – 12/12/2024

Certified Mailings

Fine Accrual, Administrative and Mailing Costs to Date

Total Cost of Mailings \$163.58

Fine Accrual to Date \$19,250.00

Administrative Costs \$248.80

BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
OF THE CITY OF FLAGLER BEACH, FLORIDA

1005 OCEANSHORE LLC
58 Island Estates Parkway
Palm Coast, Fl 32137

CITY OF FLAGLER BEACH,)
FLORIDA, a municipal corporation,)
)
Petitioner,)
vs.)
1005 OCEANSHORE LLC, owner,)
)
Respondent.)

CASE NO: BEN23-0019

NOTICE OF STATUS HEARING

Premises: 1005 N OCEAN SHORE BLVD, FLAGLER BEACH, FL 32136

Pursuant to Chapter 162, *Florida Statutes*, the Code Enforcement Special Magistrate was created in Chapter 2, Article IV, Division 2, Sections 2-71 through 2-83, *City of Flagler Beach Code of Ordinances*, to hear Code Enforcement matters. The Special Magistrate shall conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring violations of any City Code into compliance, including imposing fines and other noncriminal penalties to enforce the *Code of Ordinances*.

YOU ARE HEREBY FORMALLY NOTIFIED that on **WEDNESDAY, JANUARY 22, 2025 @ 3:00PM**, there will be a **STATUS HEARING** before the Special Magistrate in the City Commission Chambers, 105 2nd Street South, Flagler Beach, Florida, concerning **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER** dated November 12, 2024. Your failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

YOU ARE HEREBY NOTIFIED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. The Code Enforcement Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your real and personal property for every day the violation continues beyond the date set by the Special Magistrate for compliance.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this hearing. Please be prepared to present evidence at the hearing concerning the amount of time necessary to correct the alleged violation, should you be found in violation of the *Code of Ordinances*.

If you wish to have any witnesses subpoenaed, or have any other questions, please contact the office of Code Enforcement Officer within five (5) days, at 800 S Daytona Avenue, Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: December 23, 2024


John Gifford
Code Enforcement Officer

I hereby certify that a copy of the foregoing was delivered by regular and certified mail# 9214 8901 9403 8393 1248 11 and 9214 8901 9403 8393 1248 73 December 23, 2024.

Mailer: City of Flagler Beach

Date Produced: 12/30/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8393 1248 73. Our records indicate that this item was delivered on 12/27/2024 at 02:44 p.m. in PALM COAST, FL 32137. The scanned image of the recipient information is provided below.

Signature of Recipient :
(Authorized Agent)

ALWA 137 ROB
Dillon

Address of Recipient :

**58 ISLAND ESTATES PKWY,
PALM COAST, FL 32137**

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

1005 OCEANSHORE LLC
58 ISLAND ESTATES PARKWAY
PALM COAST, FL 32137

Customer Reference Number: C5540577.33575658

Return Reference Number EEN23-0019 STATUS HEARING



Return address:

CITY OF FLAGLER BEACH
105 S 2ND ST
FLAGLER BEACH FL 32136

Recipient address:

1005 OCEANSHORE LLC
58 ISLAND ESTATES PARKWAY
PALM COAST, FL 32137

MAILING DATE: 12/23/2024
DELIVERY DATE: 12/30/2024

USPS CERTIFIED MAIL



9214 8901 9403 8393 1248 73

USPS Tracking Label Number: 9214 8901 9403 8393 1248 73

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	12/23/2024 10:17
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	12/23/2024 14:02
ORIGIN ACCEPTANCE	FLAGLER BEACH,FL 32136	12/25/2024 12:20
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	12/25/2024 13:35
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	12/26/2024 07:49
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	12/26/2024 12:39
DELIVERED TO AGENT LEFT WITH INDIVIDUAL	PALM COAST,FL 32137	12/27/2024 14:44
DELIVERED (SYSTEM ADDED)		12/30/2024 10:18

CUSTOM 1:

DATE PRODUCED: 12/31/2024 4:09 AM

CITY OF FLAGLER BEACH:

The following is information for Certified Mail™/RRE item number:

9214 8901 9403 8393 1248 11

Our records indicate that this item was RETURNED TO SENDER.

ORIGINAL INTENDED RECIPIENT:

1005 OCEANSHORE LLC

1005 N OCEAN SHORE BLVD

FLAGLER BEACH, FL 32136

The above information represents information provided by the United States Postal Service.

Return Reference Number:



Mailer: City of Flagler Beach

Date Produced: 12/31/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8393 1248 11. Our records indicate that this item was delivered on 12/30/2024 at 12:24 p.m. in FLAGLER BEACH, FL 32136. The scanned image of the recipient information is provided below.

Signature of Recipient :

Signature	XOX. E. Settle
Printed Name	Kate Settle

Address of Recipient :

Delivery Address	Box 70
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Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

1005 OCEANSHORE LLC
1005 N OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

Customer Reference Number: C5540577.33575657
Return Reference Number EEN23-0019 STATUS HEARING

Return address:

CITY OF FLAGLER BEACH
105 S 2ND ST
FLAGLER BEACH FL 32136



Recipient address:

1005 OCEANSHORE LLC
1005 N OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

MAILING DATE: 12/23/2024
DELIVERY DATE: 12/30/2024

USPS CERTIFIED MAIL



9214 8901 9403 8393 1248 11

USPS Tracking Label Number: 9214 8901 9403 8393 1248 11

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	12/23/2024 10:17
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	12/23/2024 14:02
FORWARD EXPIRED	FLAGLER BEACH,FL 32136	12/24/2024 11:23
VACANT	FLAGLER BEACH,FL 32136	12/24/2024 11:36
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	12/28/2024 19:41
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	12/29/2024 10:28
RETURN TO SENDER INDIVIDUAL PICKED UP AT USPS	FLAGLER BEACH,FL 32136	12/30/2024 12:24

CUSTOM 1:

**BEFORE THE SPECIAL MAGISTRATE FOR THE
CITY OF FLAGLER BEACH, FLORIDA**

CITY OF FLAGLER BEACH,
Petitioner,

vs.

CASE NUMBER EEN 23-0019

1005 OCEANSHORE, LLC,
Respondent.

_____ /

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

THIS MATTER having come before the Special Magistrate for the City of Flagler Beach, Florida, for a status hearing on November 6, 2024, after due notice to Respondent and the undersigned having received evidence and heard testimony under oath thereupon issues the following Findings of Fact and Order:

FINDINGS OF FACT

1. The property subject to this proceeding is located at 1005 N. Ocean Shore Blvd., Flagler Beach, Florida, and has Flagler County Tax Parcel ID 01-12-31-1100-00040-0040 (the "Subject Property").
2. 1005 Oceanshore, LLC, is the Owner of the Subject Property.
3. On May 18, 2023, the Code Enforcement Officer for the City of Flagler Beach properly served a Notice of Violation on Respondent. Said Notice of Violation cited a violation of Chapter 13 of the City of Flagler Beach Code of Ordinances finding that the dilapidated condition of the structure located upon the Subject Property constitutes a nuisance as defined in said Chapter.
4. The undersigned has previously found Respondent in violation of Chapter 13 of the City of Flagler Beach Code of Ordinances as a result of the extremely dilapidated condition of the Subject Property.
5. Respondent appeared at the July 2024 status hearing and presented a time frame for completing certain initial steps in order to ensure the safety and security of the Subject Property, including securing the Subject Property from unauthorized entry onto property, mitigating potential storm damage hazards, including, but not limited to, the prompt removal of loose debris or unsecured items from the Subject Property, and submitting a site plan within the month of August 2024.

6. As of the November 6, 2024, hearing, Respondent has neither taken corrective action to mitigate the identified hazards, nor submitted a site plan to the City. No progress appears to have been made toward the ultimate cure of the violations.

7. The failure to secure the Subject Property poses a potential risk to public safety and property.

BASED UPON THE FOREGOING, IT IS ORDERED:

8. Beginning on November 7, 2024, Respondent shall be afforded fifteen (15) days to cure the violation by installing appropriate perimeter fencing to ensure the Subject Property is secure.

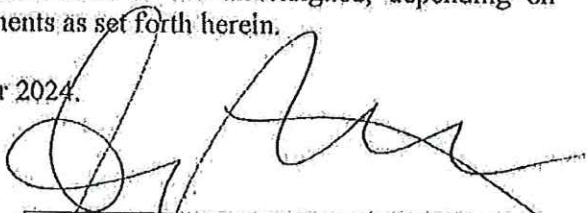
9. Beginning on November 7, 2024, Respondent shall be afforded thirty (30) days to cure the violation by cleaning up all loose debris and unsecured materials from the site that could become windborne.

10. Respondent shall submit to the City a site plan for the Subject Property on or before the January 2025 status hearing.

11. A status hearing is scheduled for January 2025 to review compliance with these requirements, and it remains in effect as an opportunity to confirm that all corrective actions have been completed by Respondent.

12. Beginning on November 6, 2024, a fine of \$250.00 per day will accrue until all aforementioned violations have been fully cured; however, the total amount of the accrued fine may be subject to reduction or waiver at the discretion of the undersigned, depending on Respondent's timely compliance with the requirements as set forth herein.

ORDERED on this 12th day of November 2024.



Gregory Popp
Special Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon Respondent by Certified and Regular Mail to Respondent at ~~3510 S Ocean Shore Blvd, Flagler Beach, FL 32136~~ on this 13th day of November 2024. 58 Island Estates Parkway,

Palmer Court, FL
32137



Michele Ficocello
Clerk to the Special Magistrate

Mailer: City of Flagler Beach

Date Produced: 11/18/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8388 0818 46. Our records indicate that this item was delivered on 11/15/2024 at 03:34 p.m. in PALM COAST, FL 32137. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

**58 ISLAND ESTATES PKWY,
PALM COAST, FL 32137**

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

1005 OCEANSHORE LLC
58 ISLAND ESTATES PARKWAY
PALM COAST, FL 32137

Customer Reference Number: C5452586.33048919

Return Reference Number EEN23-0019 FINDING OF FACT



Return address:

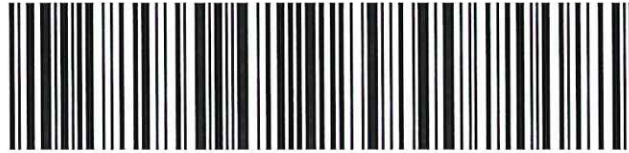
CITY OF FLAGLER BEACH
105 S 2ND ST
FLAGLER BEACH FL 32136

Recipient address:

1005 OCEANSHORE LLC
58 ISLAND ESTATES PARKWAY
PALM COAST, FL 32137

MAILING DATE: 11/13/2024
DELIVERY DATE: 11/15/2024

USPS CERTIFIED MAIL



9214 8901 9403 8388 0818 46

USPS Tracking Label Number: 9214 8901 9403 8388 0818 46

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	11/13/2024 14:36
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	11/13/2024 16:43
ORIGIN ACCEPTANCE	FLAGLER BEACH,FL 32136	11/13/2024 21:45
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	11/13/2024 23:00
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	11/14/2024 22:35
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	11/15/2024 01:20
DELIVERED LEFT WITH INDIVIDUAL	PALM COAST,FL 32137	11/15/2024 15:34

CUSTOM 1:

DATE PRODUCED: 11/20/2024 2:06 AM

CITY OF FLAGLER BEACH:

The following is information for Certified Mail™/RRE item number:

9214 8901 9403 8388 0817 85

Our records indicate that this item was RETURNED TO SENDER.

ORIGINAL INTENDED RECIPIENT:

1005 OCEANSHORE LLC

1005 N OCEAN SHORE BLVD

FLAGLER BEACH, FL 32136

The above information represents information provided by the United States Postal Service.

Return Reference Number:



Mailer: City of Flagler Beach

Date Produced: 11/20/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8388 0817 85. Our records indicate that this item was delivered on 11/19/2024 at 11:39 a.m. in FLAGLER BEACH, FL 32136. The scanned image of the recipient information is provided below.

Signature of Recipient :

KE Settle
Kate Settle

Address of Recipient :

1005 N OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136-3104

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

1005 OCEANSHORE LLC
1005 N OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

Customer Reference Number: C5452586.33048918
Return Reference Number EEN23-0019 FINDING OF FACT

Return address:

CITY OF FLAGLER BEACH
105 S 2ND ST
FLAGLER BEACH FL 32136

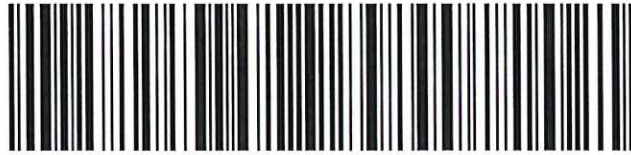


Recipient address:

1005 OCEANSHORE LLC
1005 N OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

MAILING DATE: 11/13/2024
DELIVERY DATE: 11/19/2024

USPS CERTIFIED MAIL



9214 8901 9403 8388 0817 85

USPS Tracking Label Number: 9214 8901 9403 8388 0817 85

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	11/13/2024 14:36
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	11/13/2024 16:43
ORIGIN ACCEPTANCE	FLAGLER BEACH,FL 32136	11/13/2024 21:45
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	11/13/2024 23:00
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	11/14/2024 18:44
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	11/15/2024 00:05
RETURN TO SENDER	FLAGLER BEACH,FL 32136	11/15/2024 08:34
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	11/17/2024 20:31
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	11/18/2024 05:49
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	11/18/2024 10:14
AVAILABLE FOR PICKUP	FLAGLER BEACH,FL 32136	11/19/2024 10:20
RETURN TO SENDER INDIVIDUAL PICKED UP AT PO	FLAGLER BEACH,FL 32136	11/19/2024 11:39

CUSTOM 1:

City of Flagler Beach Code Enforcement

Case #: EEN23-0019
 Respondent: 1005 OCEANSHORE BLVD, LLC
 Property Address: 1005 N. OCEAN SHORE BLVD, FLAGLER BEACH, FL 32136
 Mailing Address: 58 ISLAND ESTATES PARKWAY, PALM COAST, FL 32137
 Other Address: NONE

Notice Type	Date	Regular Mail			Certified		Total	
		Regular Mail Pieces	Cost Per Piece	Total	Certified Mail Pieces	Mail Cost Per Piece	Total	Mailing Cost
Violation Notice	5/18/2023	2	\$0.60	\$1.20	2	\$8.10	\$16.20	\$17.40
Hearing Notice	7/12/2023	2	\$0.63	\$1.26	2	\$8.63	\$17.26	\$18.52
Status Hearing Notice	10/4/2023	2	\$0.63	\$1.26	2	\$8.63	\$17.26	\$18.52
Status Hearing Notice	1/9/2024	2	\$0.63	\$1.26	2	\$8.63	\$17.26	\$18.52
Status Hearing Notice	2/12/2024	2	\$0.64	\$1.28	2	\$8.69	\$17.38	\$18.66
Status Hearing Notice	7/5/2024	2	\$0.64	\$1.28	2	\$7.36	\$14.72	\$16.00
Status Hearing Notice	9/13/2024	2	\$0.64	\$1.28	2	\$9.64	\$19.28	\$20.56
Findings of Fact	11/12/2024	2	\$0.69	\$1.38	2	\$8.16	\$16.32	\$17.70
Status Hearing Notice	12/23/2024	2	\$0.69	\$1.38	2	\$8.16	\$16.32	\$17.70
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00

Total Cost To Date	\$163.58
---------------------------	-----------------

Fines Ordered	Starting Date	Present Date	Total Days	AMT.	Fine Accrual To Date
11/6/2024	11/6/2024	1/22/2025	77	\$250.00	\$19,250.00

Administrative Cost to Date	Rate	Total Hours	Total*
	\$31.10	8	\$248.80

*Total cost is approximate due to use of current fully loaded Staff rate and estimated time dedicated to case.



Special Magistrate Hearing

Code Enforcement

January 22, 2025

Case Number: EEN23-0022

Respondent: Julie Guimond

Address of Violation: 2261S Flagler Avenue

Tax Parcel ID Number: 19-12-32-4550-00030-0230

Violation: 2020 Florida Building Code, Building 7th Edition, Sec. 105 Permits [A] 105.1 Required

Attachments: Notice of Status Hearing – 12/23/2024

Certified Mailings

Status Hearing Order – 11/12/2024

Certified Mailings

Mailing Costs to Date

Total Cost of Mailings \$90.05

BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
OF THE CITY OF FLAGLER BEACH, FLORIDA

JULIE GUIMOND
201 S HALIFAX DRIVE
ORMOND BEACH, FL 32176

CITY OF FLAGLER BEACH,)
FLORIDA, a municipal corporation,)
)
Petitioner,)
vs.)
JULIE GUIMOND, owner,)
)
Respondent.)
_____)

CASE NO: EEN23-0022

NOTICE OF STATUS HEARING

Premises: 2261 S FLAGLER AVENUE, FLAGLER BEACH, FL 32136

Pursuant to Chapter 162, *Florida Statutes*, the Code Enforcement Special Magistrate was created in Chapter 2, Article IV, Division 2, Sections 2-71 through 2-83, *City of Flagler Beach Code of Ordinances*, to hear Code Enforcement matters. The Special Magistrate shall conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring violations of any City Code into compliance, including imposing fines and other noncriminal penalties to enforce the *Code of Ordinances*.

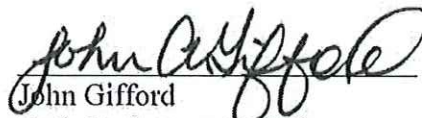
YOU ARE HEREBY FORMALLY NOTIFIED that on **WEDNESDAY, JANUARY 22, 2024 @ 3:00 PM**, there will be a **STATUS HEARING** before the Special Magistrate in the City Commission Chambers, 105 2nd Street South, Flagler Beach, Florida, concerning your failure to comply with the Notice of Violation dated July 18, 2023, and consideration of imposition of fines for such non-compliance. Your failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

YOU ARE HEREBY NOTIFIED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case.

Should you be found in violation of the Code of Ordinances at the hearing, the Code Enforcement Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your real and personal property for every day the violation continues beyond the date set by the Special Magistrate for compliance. If the violation is corrected and then recurs, this case shall be presented to the Code Enforcement Special Magistrate at the above-stated hearing even if the violation has been corrected prior to the hearing.

If you wish to have any witnesses subpoenaed, or have any other questions, please contact the office of Code Enforcement Officer within five (5) days, at 800 S Daytona Avenue, Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: December 23, 2024


John Gifford
Code Enforcement Officer

I hereby certify that a copy of the foregoing was delivered by regular and certified mail # 9214 8901 9403 8393 1238 76 and 9214 8901 9403 8393 1242 31 December 23, 2024.


Mailer: City of Flagler Beach

Date Produced: 12/31/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8393 1238 76. Our records indicate that this item was delivered on 12/30/2024 at 11:24 a.m. in ORMOND BEACH, FL 32176. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

**201 S HALIFAX DR, ORMOND
BEACH, FL 32176**

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

JULIE GUIMOND
2261 S FLAGLER AVENUE
FLAGLER BEACH, FL 32136

Customer Reference Number: C5540577.33575655
Return Reference Number EEN23-0022 NOTICE OF STATUS HEARING



Return address:

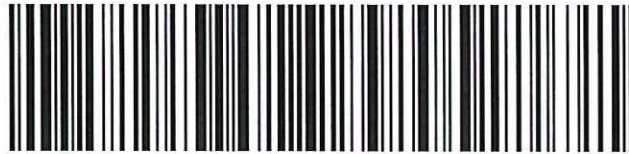
CITY OF FLAGLER BEACH
105 S 2ND ST
FLAGLER BEACH FL 32136

Recipient address:

JULIE GUIMOND
2261 S FLAGLER AVENUE
FLAGLER BEACH, FL 32136

MAILING DATE: 12/23/2024
DELIVERY DATE: 12/30/2024

USPS CERTIFIED MAIL



9214 8901 9403 8393 1238 76

USPS Tracking Label Number: 9214 8901 9403 8393 1238 76

USPS Tracking History

	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	12/23/2024 10:17
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	12/23/2024 14:02
FORWARDED	FLAGLER BEACH,FL 32136	12/24/2024 10:35
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	12/27/2024 22:23
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	12/28/2024 08:16
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	12/28/2024 10:15
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	12/29/2024 22:36
DELIVERED LEFT WITH INDIVIDUAL	ORMOND BEACH,FL 32176	12/30/2024 11:24

CUSTOM 1:

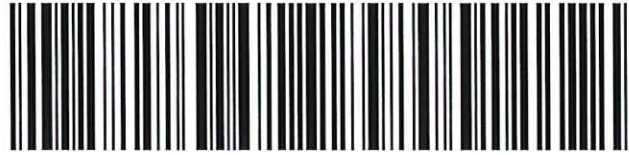
Return address:

CITY OF FLAGLER BEACH
105 S 2ND ST
FLAGLER BEACH FL 32136

Recipient address:

JULIE GUIMOND
201 S. HALIFAX DRIVE
ORMOND BEACH, FL 32176

USPS CERTIFIED MAIL



9214 8901 9403 8393 1242 31

USPS Tracking Label Number: 9214 8901 9403 8393 1242 31

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	12/23/2024 10:17
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	12/23/2024 14:02

**BEFORE THE SPECIAL MAGISTRATE FOR THE
CITY OF FLAGLER BEACH, FLORIDA**

CITY OF FLAGLER BEACH,

Petitioner,

vs.

CASE NUMBER BEN 23-0022

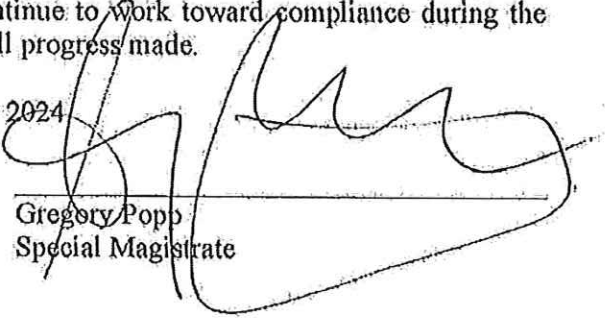
JULIE GUIMOND,

Respondent,
_____ /

STATUS HEARING ORDER

THIS MATTER has come before the Special Magistrate for the City of Flagler Beach, Florida, on November 6, 2024, on a status hearing, and the parties having agreed to a continuance of the case, it is hereby Ordered that this case shall be continued until the regular hearing date scheduled in January 2025. Respondent shall continue to work toward compliance during the interim and shall be prepared in January to report all progress made.

ORDERED on this 12th day of November 2024

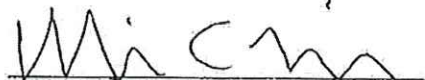


Gregory Popp
Special Magistrate

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been served upon Respondent by Certified and Regular Mail to Respondent at 201 S. Halifax Dr., Ormond Beach, FL 32136 on this 13th day of November 2024.

32176



Michele Ficocello
Clerk to the Special Magistrate

Mailer: City of Flagler Beach

Date Produced: 11/18/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8388 0806 03. Our records indicate that this item was delivered on 11/15/2024 at 10:06 a.m. in ORMOND BEACH, FL 32176. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

**201 S HALIFAX DR, ORMOND
BEACH, FL 32176**

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

JULIE GUIMOND
201 S. HALIFAX DRIVE
ORMOND BEACH, FL 32176

Customer Reference Number: C5452586.33048917

Return Reference Number EEN23-0022 NOTICE OF STATUS HEARING



Return address:

CITY OF FLAGLER BEACH
105 S 2ND ST
FLAGLER BEACH FL 32136

Recipient address:

JULIE GUIMOND
201 S. HALIFAX DRIVE
ORMOND BEACH, FL 32176

MAILING DATE: 11/13/2024
DELIVERY DATE: 11/15/2024

USPS CERTIFIED MAIL



9214 8901 9403 8388 0806 03

USPS Tracking Label Number: 9214 8901 9403 8388 0806 03

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	11/13/2024 14:36
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	11/13/2024 16:43
ORIGIN ACCEPTANCE	FLAGLER BEACH,FL 32136	11/13/2024 21:45
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	11/13/2024 23:00
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	11/14/2024 20:51
DELIVERED LEFT WITH INDIVIDUAL	ORMOND BEACH,FL 32176	11/15/2024 10:06

CUSTOM 1:

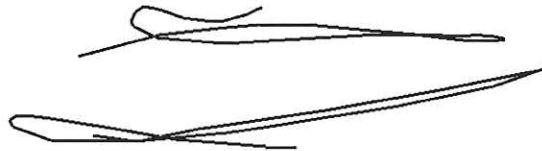
Mailer: City of Flagler Beach

Date Produced: 11/18/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8388 0804 43. Our records indicate that this item was delivered on 11/16/2024 at 12:23 p.m. in ORMOND BEACH, FL 32176. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

**201 S HALIFAX DR, ORMOND
BEACH, FL 32176**

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

JULIE GUIMOND
2261 S FLAGLER AVENUE
FLAGLER BEACH, FL 32136

Customer Reference Number: C5452586.33048916

Return Reference Number EEN23-0022 NOTICE OF STATUS HEARING



Return address:

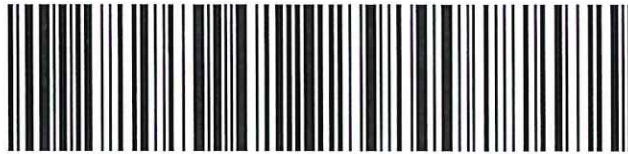
CITY OF FLAGLER BEACH
105 S 2ND ST
FLAGLER BEACH FL 32136

Recipient address:

JULIE GUIMOND
2261 S FLAGLER AVENUE
FLAGLER BEACH, FL 32136

MAILING DATE: 11/13/2024
DELIVERY DATE: 11/16/2024

USPS CERTIFIED MAIL



9214 8901 9403 8388 0804 43

USPS Tracking Label Number: 9214 8901 9403 8388 0804 43

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	11/13/2024 14:36
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	11/13/2024 16:43
ORIGIN ACCEPTANCE	FLAGLER BEACH,FL 32136	11/13/2024 21:45
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	11/13/2024 23:00
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	11/14/2024 20:16
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	11/15/2024 07:47
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	11/15/2024 20:59
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	11/16/2024 01:44
DELIVERED LEFT WITH INDIVIDUAL	ORMOND BEACH,FL 32176	11/16/2024 12:23

CUSTOM 1:

City of Flagler Beach Code Enforcement

Case #: EEN23-0022
 Respondent: JULIE GUIMOND
 Property Address: 2261 S FLAGLER AVENUE, FLAGLER BEACH, FL 32136
 Mailing Address: 201 S HALIFAX DRIVE, ORMOND BEACH, FL 32176
 Other Address: NONE

Notice Type	Date	Regular	Regular	Total	Certified	Certified	Total	Total Mailing Cost
		Mail Pieces	Mail Cost Per Piece		Mail Pieces	Mail Cost Per Piece		
Violation Notice	7/18/2023	1	\$0.63	\$0.63	1	\$8.53	\$8.53	\$9.16
Hearing Notice	8/8/2023	1	\$0.63	\$0.63	1	\$8.53	\$8.53	\$9.16
Status Hearing Notice	10/4/2023	1	\$0.63	\$0.63	1	\$8.53	\$8.53	\$9.16
Status Hearing Notice	11/1/2023	1	\$0.63	\$0.63	1	\$8.53	\$8.53	\$9.16
Status Hearing Notice	1/9/2024	1	\$0.63	\$0.63	1	\$8.53	\$8.53	\$9.16
Status Hearing Notice	10/23/2024	1	\$0.69	\$0.69	1	\$8.16	\$8.16	\$8.85
Status Hearing Order	11/13/2024	2	\$0.69	\$1.38	2	\$8.16	\$16.32	\$17.70
Status Hearing Notice	12/23/2024	2	\$0.69	\$1.38	2	\$8.16	\$16.32	\$17.70
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00

Total Cost To Date	\$90.05
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Special Magistrate Hearing

Code Enforcement

January 22, 2025

Case Number: EEN24-0036

Respondent: Eggert Iris Claxton Life Estate c/o Liz Rubeis

Address of Violation: 1201 S Central Avenue

Tax Parcel ID Number: 12-12-31-4500-00190-0260

Violation: City of Flagler Beach Code of Ordinances Article I. – In General Section 13-1 Definition (4)

Attachments: Affidavit of Posting – 12/23/2024

Notice of Status Hearing – 12/23/2024

Mailing Cost to Date

Total Cost of Mailings \$81.70

AFFIDAVIT OF POSTING

STATE OF FLORIDA

COUNTY OF FLAGLER

Ref: City of Flagler Beach

vs.

Eggert Iris Claxton Life Estate C/O Liz Rubeis

2563 SW 87th Dr Ste 10

Gainesville, FL 32608

CODE ENFORCEMENT CASE NO.: EEN24-0036

John Gifford, Code Enforcement Officer states:

- 1. That I am employed as a Code Enforcement Officer by the City of Flagler Beach.
- 2. That pursuant to Florida Statute 162.12, Notices on the 23rd day of December, 2024. I posted the foregoing notice to Eggert Iris Claxton Life Estate C/O Liz Rubeis at 1201 S. Central Ave. Flagler Beach 32136, as well as a posted notice 105 S. 2nd Street Flagler Beach, Florida (City Hall), for the dated December 23, 2024.

FURTHER, Affiant saith not.



 Code Enforcement Officer

STATE OF FLORIDA

COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me by means of physical presence notarization the 23rd day of December, 2024 by John Gifford, City of Flagler Beach Code Enforcement Officer, who is personally known to me.

(SEAL)





 NOTARY PUBLIC

BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
OF THE CITY OF FLAGLER BEACH, FLORIDA

EGGERT IRIS CLAXTON
LIFE ESTATE C/O LIZ RUBEIS
2563 87TH DR SW STE 10
GAINESVILLE, FL 32608

CITY OF FLAGLER BEACH,)
FLORIDA, a municipal corporation,)
)
Petitioner,)
vs.)
EGGERT IRIS CLAXTON,)
LIFE ESTATE C/O LIZ RUBEIS,)
owner,)
Respondent.)

CASE NO: EEN24-0036

NOTICE OF STATUS HEARING

Premises: 1201 S CENTRAL AVE, FLAGLER BEACH, FL 32136

Pursuant to Chapter 162, *Florida Statutes*, the Code Enforcement Special Magistrate was created in Chapter 2, Article IV, Division 2, Sections 2-71 through 2-83, *City of Flagler Beach Code of Ordinances*, to hear Code Enforcement matters. The Special Magistrate shall conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring violations of any City Code into compliance, including imposing fines and other noncriminal penalties to enforce the *Code of Ordinances*.

YOU ARE HEREBY FORMALLY NOTIFIED that on **WEDNESDAY, JANUARY 22, 2025 @ 3:00PM**, there will be a HEARING before the Special Magistrate in the City Commission Chambers, 105 2nd Street South, Flagler Beach, Florida, concerning NOTICE OF VIOLATION dated April 8, 2024, and consideration of imposition of fines for such non-compliance. Your failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

YOU ARE HEREBY NOTIFIED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case.

Should you be found in violation of the Code of Ordinances at the hearing, the Code Enforcement Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your real and personal property for every day the violation continues beyond the date set by the Special Magistrate for compliance. If the violation is corrected and then recurs, this case shall be presented to the Code Enforcement Special Magistrate at the above-stated hearing even if the violation has been corrected prior to the hearing.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this hearing. Please be prepared to present evidence at the hearing concerning the amount of time necessary to correct the alleged violation, should you be found in violation of the *Code of Ordinances*.

If you wish to have any witnesses subpoenaed, or have any other questions, please contact the office of Code Enforcement Officer within five (5) days, at 800 S. Daytona Ave, Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: December 23, 2024


John Gifford
Code Enforcement Officer

I hereby certify that a copy of the foregoing was posted by the above signed Code Enforcement Officer on December 23, 2024.

City of Flagler Beach Code Enforcement

Case #: EEN24-0036

Respondent: EGGERT IRIS CLAXTON LIFE ESTATE C/O LIZ RUBEIS

Property Address: 1201 S CENTRAL AVENUE, FLAGLER BEACH, FL 32136

Mailing Address: 2563 SW 87TH DR STE 10, GAINESVILLE, FL 32608

Other Address:

Notice Type	Date	Regular			Certified			Total Mailing Cost
		Mail Pieces	Regular Mail Cost Per Piece	Total	Mail Pieces	Certified Mail Cost Per Piece	Total	
VIOLATION	4/8/2024	2	\$0.64	\$1.28	2	\$7.36	\$14.72	\$16.00
HEARING	5/31/2024	2	\$0.64	\$1.28	2	\$7.36	\$14.72	\$16.00
FINDINGS OF FACT	7/1/2024	2	\$0.64	\$1.28	2	\$7.36	\$14.72	\$16.00
MAGISTRATE ORDER	7/31/2024	2	\$0.64	\$1.28	2	\$7.36	\$14.72	\$16.00
STATUS HEARING	8/2/2024	2	\$0.69	\$1.38	2	\$8.16	\$16.32	\$17.70
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00

Total Cost To Date	\$81.70
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Special Magistrate Hearing

Code Enforcement

January 22, 2025

Case Number: EEN23-0011

Respondent: Sachem Capital Corp

Address of Violation: 3590 S Ocean Shore Blvd

Tax Parcel ID Number: 29-12-32-0000-01032-0000

Violation: City Of Flagler Beach Code of Ordinances, Chapter 13, Section 13-1 Definition (2), (3), (4)

Attachments: Affidavit of Posting – 12/23/2024
Request to Foreclose Notice of Hearing – 12/23/2024
Certified Mailings
Recorded Findings of Fact Order – 8/28/2023
Flagler County Property Appraiser Records
Submitted and Approved Demolition Permit Packet
Mailing Cost and Fine Accrual to Date

Total Cost of Mailings \$17.70

Fine Accrual to Date \$141,500.00

AFFIDAVIT OF POSTING

STATE OF FLORIDA

COUNTY OF FLAGLER

Ref: City of Flagler Beach

vs.

SACHEM CAPITAL CORP

568 E MAIN STREET

BRANFORD, CT 06405

CODE ENFORCEMENT CASE NO.: EEN23-0011

John Gifford, Code Enforcement Officer states:

1. That I am employed as a Code Enforcement Officer by the City of Flagler Beach.
2. That pursuant to Florida Statute 162.12, Notices on the 23rd day of December, 2024, I posted the foregoing notice to Sachem Capital Corp, 3590 S Ocean Shore Blvd, Flagler Beach, Fl 32136 OR Tax Parcel ID 29-12-32-0000-01032-0000, as well as a posted notice 105 S. 2nd Street Flagler Beach, Florida (City Hall), for the dated December 23, 2024.

FURTHER, Affiant saith not.


 Code Enforcement Officer

STATE OF FLORIDA

COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me by means of physical presence notarization the 23rd day of December, 2024 by John Gifford, City of Flagler Beach Code Enforcement Officer, who is personally known to me.

(SEAL)




 NOTARY PUBLIC

BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
OF THE CITY OF FLAGLER BEACH, FLORIDA

SACHEM CAPITAL CORP
568 E MAIN STREET
BRANFORD, CT 06405

CITY OF FLAGLER BEACH,)
FLORIDA, a municipal corporation,)

Petitioner,)

vs.)

CASE NO: EEN 23-0011

SACHEM CAPITAL CORP,)
owner,)

Respondent.)

REQUEST TO FORECLOSE - NOTICE OF HEARING

Premises: 3590 S OCEAN SHORE BLVD, FLAGLER BEACH, FL 32136 OR
TAX PARCEL ID 29-12-32-0000-01032-0000

Pursuant to Chapter 162, *Florida Statutes*, the Code Enforcement Special Magistrate was created in Chapter 2, Article IV, Division 2, Sections 2-71 through 2-83, *City of Flagler Beach Code of Ordinances*, to hear Code Enforcement matters. The Special Magistrate shall conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring violations of any City Code into compliance, including imposing fines and other noncriminal penalties to enforce the *Code of Ordinances*.

YOU ARE HEREBY FORMALLY NOTIFIED that on **WEDNESDAY, JANUARY 22, 2025 @ 3:00PM**, there will be a **HEARING** before the Special Magistrate in the City Commission Chambers, 105 2nd Street South, Flagler Beach, Florida, at which the City will request permission to foreclose the code enforcement lien entered in this case. Your failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

YOU ARE HEREBY NOTIFIED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this hearing. Please be prepared to present evidence at the hearing concerning the amount of time necessary to correct the alleged violation, should you be found in violation of the *Code of Ordinances*.

If you wish to have any witnesses subpoenaed, or have any other questions, please contact the office of Code Enforcement Officer within five (5) days, at 800 S Daytona Ave, Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: December 23, 2024


John Gifford,
Code Enforcement Officer

I hereby certify that a copy of the foregoing was delivered by regular and certified mail # 9214 8901 9403 8393 1339 36 and 9214 8901 9403 8393 1339 74 December 23, 2024.

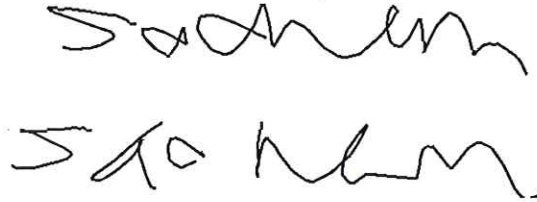
Mailer: City of Flagler Beach

Date Produced: 12/31/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8393 1339 74. Our records indicate that this item was delivered on 12/30/2024 at 12:26 p.m. in BRANFORD, CT 06405. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

**568 E MAIN ST STE 2,
BRANFORD, CT 06405**

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

TAX PARCEL ID 29-12-32-0000-01032-0000
SACHEM CAPITAL CORP
568 E MAIN STREET
BRANFORD, CT 06405

Customer Reference Number: C5540577.33575662

Return Reference Number EEN23-0011 REQUEST TO FORECLOSE



Return address:

CITY OF FLAGLER BEACH
105 S 2ND ST
FLAGLER BEACH FL 32136

Recipient address:

TAX PARCEL ID 29-12-32-0000-01032-0000
SACHEM CAPITAL CORP
568 E MAIN STREET
BRANFORD, CT 06405

MAILING DATE: 12/23/2024
DELIVERY DATE: 12/30/2024



USPS Tracking Label Number: 9214 8901 9403 8393 1339 74

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	12/23/2024 10:17
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	12/23/2024 14:02
ORIGIN ACCEPTANCE	FLAGLER BEACH,FL 32136	12/25/2024 12:21
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	12/25/2024 13:36
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	12/26/2024 07:49
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	12/26/2024 18:49
PROCESSED THROUGH USPS FACILITY	HARTFORD CT DISTRIBUTION CENTER 06101	12/29/2024 13:50
DEPARTED USPS REGIONAL FACILITY	HARTFORD CT DISTRIBUTION CENTER 06101	12/30/2024 06:15
DELIVERED LEFT WITH INDIVIDUAL	BRANFORD,CT 06405	12/30/2024 12:26

CUSTOM 1:

DATE PRODUCED: 12/31/2024 4:09 AM

CITY OF FLAGLER BEACH:

The following is information for Certified Mail™/RRE item number:

9214 8901 9403 8393 1339 36

Our records indicate that this item was RETURNED TO SENDER.

ORIGINAL INTENDED RECIPIENT:

TAX PARCEL ID 29-12-32-0000-01032-0000

SACHEM CAPITAL CORP

3590 S OCEAN SHORE BLVD

FLAGLER BEACH, FL 32136

The above information represents information provided by the United States Postal Service.

Return Reference Number:



Mailer: City of Flagler Beach

Date Produced: 12/31/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8393 1339 36. Our records indicate that this item was delivered on 12/30/2024 at 12:24 p.m. in FLAGLER BEACH, FL 32136. The scanned image of the recipient information is provided below.

Signature of Recipient :

Signature	XOX. E. Settle
Printed Name	Kate Settle

Address of Recipient :

Delivery Address	Box 70
------------------	--------

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

TAX PARCEL ID 29-12-32-0000-01032-0000
SACHEM CAPITAL CORP
3590 S OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

Customer Reference Number: C5540577.33575661
Return Reference Number EEN23-0011 REQUEST TO FORECLOSE

Return address:

CITY OF FLAGLER BEACH
105 S 2ND ST
FLAGLER BEACH FL 32136



Recipient address:

TAX PARCEL ID 29-12-32-0000-01032-0000
SACHEM CAPITAL CORP
3590 S OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

MAILING DATE: 12/23/2024
DELIVERY DATE: 12/30/2024

USPS CERTIFIED MAIL



9214 8901 9403 8393 1339 36

USPS Tracking Label Number: 9214 8901 9403 8393 1339 36

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	12/23/2024 10:17
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	12/23/2024 14:02
FORWARD EXPIRED	FLAGLER BEACH,FL 32136	12/24/2024 10:48
VACANT	FLAGLER BEACH,FL 32136	12/24/2024 10:48
NO SUCH NUMBER	FLAGLER BEACH,FL 32136	12/24/2024 10:48
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	12/28/2024 19:41
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	12/29/2024 10:28
RETURN TO SENDER INDIVIDUAL PICKED UP AT USPS	FLAGLER BEACH,FL 32136	12/30/2024 12:24

CUSTOM 1:

**BEFORE THE CODE ENFORCEMENT MAGISTRATE FOR THE
CITY OF FLAGLER BEACH, FLORIDA**

CITY OF FLAGLER BEACH,
Petitioner,

vs.

CASE NUMBER EEN 23-0011

BUTLER & BUTLER PROPERTIES, INC.
Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

THIS MATTER having come before the Code Enforcement Magistrate for the City of Flagler Beach, Florida for hearing and determination on August 23, 2023 after due notice to Respondent and the undersigned having received evidence and heard testimony under oath thereupon issues the following Findings of Fact and Order:

FINDINGS OF FACT

1. The property subject to this proceeding is located at 3590 S Ocean Shore Blvd, Flagler Beach, FL 32136 and has Flagler County Tax Parcel ID 29-12-32-000-01032-0000 and more particularly described as:

MORNINGSIDE SUB DIV BL-3 LOT 23 OR BOOK 54 PG 50
OR 76 PG 521 OR BOOK 110 PAGE 126 & 127 OR 444 PG
1485(DC) OR 791 PG 693 OR 1793/1077 OR 1812/1422 OR
1823/195 OR 2088/118 OR 2264/707

(the "Subject Property").

2. Butler & Butler Properties, Inc. is the record title owner of the Subject Property.
3. The undersigned has previously found Respondent in violation of Chapter 13 of the City of Flagler Beach Code of Ordinances as a result of the extremely dilapidated condition of the Subject Property.
4. Respondent's counsel appeared at the June hearing and presented a time frame for completing certain initial steps in order to ensure the safety and security of the Subject Property

as well as mitigate some of the impacts the condition of the Subject Property has on neighbors. Said steps were memorialized in the undersigned's Order entered June 18, 2023.

5. Respondent did not complete the mitigation measures contained in the June 18, 2023 Order.

6. Respondent appeared by its counsel and Molly Butler at the July hearing and explained unforeseen events had prevented Respondent from completing the mitigatory measures detailed in the June Order and the representatives restated their commitment to completing the mitigatory measures in a timely manner while Respondent continues to work towards a cure of the overall condition of the Subject Property.

7. During multiple hearings the concern related to the danger the condition of the Subject Property presents should a hurricane or strong storm cross the area was stressed upon Respondent's representatives.

8. Neighboring property owners have diligently and patiently attended each of the hearings and presented testimony as to impacts the condition of the Subject Property has on them.

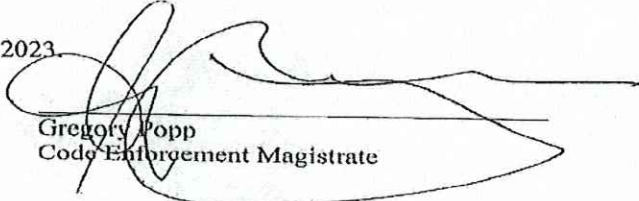
9. As of the August 23, 2023 hearing, the interim mitigatory measures have not been completed and no progress appears to have been made toward the ultimate cure of the violations.

BASED UPON THE FOREGOING, IT IS ORDERED:

10. A Fine of \$250.00 per day is hereby imposed beginning on July 6, 2023 and continuing to run until compliance is achieved. As of August 23, 2023 the fines have accrued to \$12,250.00. The fines shall continue to accrue until the Respondent brings the Subject Property into compliance.

11. Upon recordation of a certified copy of this Order in the Official Records of Flagler County, Florida, this order shall constitute a lien against the real and personal property of Respondent.

ORDERED on this 26th day of August, 2023.


Gregory Popp
Code Enforcement Magistrate



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon Respondent by Certified and Regular Mail to Respondent this 28 day of August, 2023 at the following addresses: 354 Marsh Point Circle Saint Augustine, Florida 32080 and Butler and Butler Properties, LLC c/o David Borack, P.O. Box 915498, Longwood, Florida 32791.



Bonnie Bramer
Bonnie Bramer,
Clerk to the Special Magistrate

IN THE CIRCUIT COURT,
OF THE SEVENTH JUDICIAL CIRCUIT,
IN AND FOR, FLAGLER COUNTY,
FLORIDA

CASE NO.: 2023 CA 000609

SACHEM CAPITAL CORP
Plaintiff(s)

VS.

BUTLER AND BUTLER PROPERTIES LLC ; MOLLY A
BUTLER AKA MOLLY BUTLER ; JEFFREY B BUTLER
AKA JEFFREY BUTLER ; MELVIN, GARY W ; DIAZ,
EMILY ; JEANNIMARIE LLC ; GARY JAMES INC DBA
LABOR FINDERS ; UNKNOWN TENANT 1 ; UNKNOWN
TENANT 2

Defendant(s)

_____ /

CERTIFICATE OF TITLE

The undersigned Clerk of the Circuit Court certifies that he or she executed and filed a Certificate of Sale in this action on 10/14/2024 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 Flagler County, Florida,

A portion of Government Lot 1, Section 29, Township 12 South, Range 32 East, Flagler County, Florida, being more particularly described as follows:

Begin at a point on the Easterly line of the 50 foot County Road, as shown on the Plat of Ocean Palm Subdivision, of record in Map Book 5, Page 70, of the Public Records of Flagler County, Florida, said point being a distance of 1232.34 feet Southerly from the intersection of said line with the North line of Government Lot 5, Section 30, Township 12 South, Range 32 East; thence Southerly along said East line of the County Road, a distance of 129.15 feet to a point; thence Easterly and at right angles and along the North line of 60 foot street, a distance of 250 feet to the Westerly line of State Road A-1-A; thence Northerly and along the Westerly line of State Road A-1-A distance of 129.15 feet to a point; thence Westerly and at right angles to State Road A-1-A, a distance of 250 feet to the Point of Beginning. Together with all the land lying Easterly thereof, Easterly of State Road A-1-A.

Together with improvements, structures and fixtures thereon.

Was Sold to:
SACHEM CAPITAL CORP
568 E. Main Street Branford, CT, 06405

WITNESS my hand and the seal of this Court on October 29, 2024.

Tom Bexley
As Clerk of the Court



By *Margareta Ruiz*
As Deputy Clerk

COPIES TO ALL PARTIES OF RECORD

Unofficial copy

Filing # 196600350 E-Filed 04/19/2024 03:25:37 PM

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL
CIRCUIT IN AND FOR FLAGLER COUNTY, FLORIDA

JEANNIMARIE, LLC, a
Florida limited liability company,

CASE NO.: 2023-CA-000532

Plaintiff,

v.

BUTLER & BUTLER PROPERTIES, LLC,
a Florida limited liability company,

Defendant.

CERTIFICATE OF TITLE

The undersigned Clerk of the Court certifies that he or she executed and filed a certificate of sale in this action on April 8, 2024, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections. The undersigned clerk of the court certifies that the property reverted back to the Plaintiff and no monies were received or disbursed.

Sale price: **\$5,100.00**

The following property in Flagler County, Florida

A PORTION OF GOVERNMENT LOT 1, SECTION 29, TOWNSHIP 12 SOUTH, RANGE 32 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT ON THE EASTERLY LINE OF THE 50 FOOT COUNTY ROAD, AS SHOWN ON THE PLAT OF OCEAN PALM SUBDIVISION, OF RECORD IN MAP BOOK 5, PAGE 70, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, SAID POINT BEING A DISTANCE OF 1232.34 FEET SOUTHERLY FROM THE INTERSECTION OF SAID LINE WITH THE NORTH LINE OF GOVERNMENT LOT 5, SECTION 30, TOWNSHIP 12 SOUTH, RANGE 32 EAST; THENCE SOUTHERLY ALONG SAID EAST LINE OF THE COUNTY ROAD, A DISTANCE OF 129.15 FEET TO A POINT; THENCE EASTERLY AND AT RIGHT ANGLES AND ALONG THE NORTH LINE OF 60 FOOT STREET, A DISTANCE OF 250 FEET TO THE WESTERLY LINE OF STATE ROAD A-1-A; THENCE NORTHERLY AND ALONG THE WESTERLY LINE OF STATE ROAD A-1-A DISTANCE OF 129.15 FEET TO A POINT; THENCE WESTERLY AND AT RIGHT ANGLES TO STATE ROAD A-1-A, A DISTANCE OF 250 FEET TO THE

POINT OF BEGINNING. TOGETHER WITH ALL THE LAND LYING
EASTERLY THEREOF, EASTERLY OF STATE ROAD A-1-A, AND ALL
LITTORAL AND SHORE RIGHTS APPERTAINING THERETO.

Flagler Parcel ID No.: 29-12-32-0000-01032-0000

More Commonly Known As: 3590 South Ocean Shore Blvd.
Flagler Beach, FL 32136.

Was sold to: Plaintiff, JEANNIMARIE, LLC, c/o Jonathan J. A. Paul, Weissman Paul, PLLC,
999 Douglas Ave., Suite 2214, Altamonte Springs, FL 32714.

WITNESS my hand and the seal of this Court on April 22, 2024.



TOM BEXLEY
Clerk of the Circuit Court

By Margante Ruiz
Deputy Clerk

Unofficial Copy

Prepared by and return to:

Tiffany Pellicer
Ginn & Patrou, PA
770 A1A Beach Boulevard
Suite D
Saint Augustine Beach, FL 32080
(904) 461-3000
File No 21-287

Parcel Identification No 29-12-32-0000-01032-0000

[Space Above This Line For Recording Data]

WARRANTY DEED

(STATUTORY FORM – SECTION 689.02, F.S.)

This indenture made the 7th day of May, 2021 between Moonlight Beach, LLC, a Florida Limited Liability Company, whose post office address is 600 Sweetwater Bay Ct, Longwood, FL 32779, of the County of Seminole, State of Florida, Grantor, to Butler & Butler Properties LLC, a Florida Limited Liability Company, whose post office address is 403 Anastasia Boulevard, Saint Augustine, FL 32080, of the County of St. Johns, State of Florida, Grantee:

Witnesseth, that said Grantor, for and in consideration of the sum of TEN DOLLARS (U.S.\$10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Flagler, Florida, to-wit:

A portion of Government Lot 1, Section 29, Township 12 South, Range 32 East, Flagler County, Florida, being more particularly described as follows:
Begin at a point on the Easterly line of the 50 foot County Road, as shown on the Plat of Ocean Palm Subdivision, of record in Map Book 5, Page 70, of the Public Records of Flagler County, Florida, said point being a distance of 1232.34 feet Southerly from the intersection of said line with the North line of Government Lot 5, Section 30, Township 12 South, Range 32 East; thence Southerly along said East line of the County Road, a distance of 129.15 feet to a point; thence Easterly and at right angles and along the North line of 60 foot street, a distance of 250 feet to the Westerly line of State Road A-1-A; thence Northerly and along the Westerly line of State Road A-1-A distance of 129.15 feet to a point; thence Westerly and at right angles to State Road A-1-A, a distance of 250 feet to the Point of Beginning. Together with all the land lying Easterly thereof, Easterly of State Road A-1-A, and all littoral and Shore rights appertaining thereto.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anyway appertaining.

Subject to taxes for 2021 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any.

TO HAVE AND TO HOLD the same in fee simple forever.

And Grantor hereby covenant with the Grantee that the Grantor is lawfully seized of said land in fee simple, that Grantor have good right and lawful authority to sell and convey said land and that the Grantor hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, Grantor have hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
WITNESS
PRINT NAME: JOHN W. HOAN

Moonlight Beach, LLC, a Florida Limited Liability Company

By: [Signature]
Mahmoud Sami El-Behiri, Manager

[Signature]
WITNESS
PRINT NAME: Scott Patrou

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 7th day of May, 2021 by Mahmoud Sami El-Behiri Manager of Moonlight Beach, LLC, a FL Limited Liability Company, on behalf of the Limited Liability Company.

[Signature]
Signature of Notary Public
Print, Type/Stamp Name of Notary



Personally known: _____
OR Produced Identification:

Type of Identification Produced: FL DR Lic

Unofficial Copy



City of Flagler Beach
Dept of Building & Zoning

800 South Daytona

Flagler Beach, FL 32136

Ph: (386) 517-2000

Fax:

EXT. RECEIPT N

Section 8, Item e.

16103

Paid By

SAMSULA DEMOLITION

363 S STATE ROAD 415

NEW SMYRNA BEACH, FL 32168

Transaction	Date	Record	Category	Description	Amount
00071425	01/15/2025	PB250502	20 CLUBHOUSE DR BLD	Application Fee - Building	\$ 35.00
00071425	01/15/2025	PB250502	20 CLUBHOUSE DR BLD	Demolition	\$ 546.00
00071425	01/15/2025	PB250502	20 CLUBHOUSE DR BLD	Education	\$ 5.60
00071425	01/15/2025	PB250502	20 CLUBHOUSE DR BLD	Plan Review- 1st Review(non	\$ 56.50
00071425	01/15/2025	PB250502	20 CLUBHOUSE DR BLD	Technology	\$ 5.60
00071425	01/15/2025	PB250502	20 CLUBHOUSE DR BLD	FS 553.721	\$ 6.43
00071425	01/15/2025	PB250502	20 CLUBHOUSE DR BLD	FS 468.631	\$ 9.65

Total Paid	\$ 664.78
Cash Paid	\$ 0.00
Check Paid	\$ 0.00
Card Paid	\$ 664.78
Credit Card Fee:	\$16.62
Amount Plus Credit Card F	\$681.40



CITY OF FLAGLER BEACH
BUILDING DEPARTMENT

BUILDING PERMIT APPLICATION

FOR BUILDING USE ONLY
Permit # PB250502
Fee \$ 664.78

1. Property Owners Name: Sachem Capital Corp.
Mailing Address: 568 E Main Street, Branford, CT 06405 Phone Number: 203-764-2277

2. Location/Job Address: 3590 South ocean Shore Blvd., Flagler Beach, FL 32136
Parcel # 29-12-32-0000-01032-0000 Block: _____ Lot: _____

3. Contractor / Installer: Samsula Demolition
Address: 363 S State Rd 415 State License CBC1263838
City/State/Zip Code New Smyrna Beach, FL 32168 Phone # 386-423-6769
Fax # 386-423-1436 Cell # _____
E-mail office@samsulademolition.com

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4. Description of Work: Commercial Residential

Demolition 2 uncompleted structures 3 stories each

5. Construction Dumpster Contractor Owned Dumpster Company's Name: Samsula Recycling, Inc

6. Total Square Footage Under Roof (Square footage subject to state surcharge): _____
(Total square footage under roof - Including but not limited to: new construction, carports, roofed screen rooms, modular buildings, boathouses, accessory structures) DCA Rule 9B-62.003

7. Type of Construction, Occupancy Classification and Area Totals:

Type of Construction (circle one): IA IB IIA IIB IIIA IIIB IV VA VB

Occupancy Classification (circle one): A-1 A-2 A-3 A-4 B E F-1 F-2 H-1 H234 H-5 I-1
I-2 I-3 I-4 M R-1 R-2 R-3 R-4 S-1 S-2 U

Living Area: _____ square feet Non Living: _____ square feet # of Rooms (total): _____
of Bedrooms: _____ # of Bathrooms: _____ # of Stories: _____ # of Habitable Floors: _____
Patio: _____ square feet Driveway: _____ x _____ Pool Area (including deck): _____

Mobile Home: Make _____ Model _____ Year _____ Serial Number _____
Specify Single or Double Wide _____ Width _____ x Length _____ (without hitch) = Sq Ft _____
Is this a replacement home? _____ YES or _____ NO (If yes provide proof)

8. Total Cost of Improvements: \$ 30,620.00

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9. Sub Contractor Information

- Electrical Contractor: _____ License Holders Name _____
State License # _____ Size of Electrical Service: Phase _____ Amps _____
- Plumbing Contractor: _____ License Holders Name _____
State License # _____ # Bathrooms _____ # Fixtures, Drains & Traps _____
- Mechanical Contractor: _____ License Holders Name _____
State License # _____ Total Cost of Mechanical \$ _____ Size of Unit _____ tons
- Roofing Contractor: _____ License Holders Name _____
State License # _____ Total Cost of Roof \$ _____
Type of Roof to be Installed _____ Square Footage of Structure _____
- Aluminum Contractor: _____ License Holders Name _____
State License # _____ Total Cost of Aluminum Structure \$ _____
Square Footage under Solid Roof Panels _____
- Gas Contractor: _____ License Holders Name _____
State License # _____ Total Number of Outlets _____

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction.

*To qualify as an owner/builder, the owner of the property must personally appear at Flagler Beach Building Dept. and sign this application. (FS §489.103.7b)

“FAILURE TO COMPLY WITH THE MECHANICS LIEN LAW CAN RESULT IN THE PROPERTY OWNER PAYING TWICE FOR THE BUILDING IMPROVEMENTS”

Charles Y McDonald Charles Y McDonald
(Signature) (Printed Name)

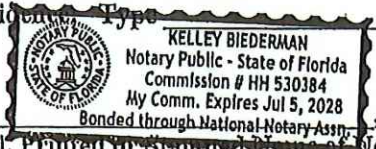
(Check one)

IS SIGNING AS: CONTRACTOR MOBILE HOME INSTALLER OWNER*

State of Florida County of Flagler

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 6th day of January, 2024 by Charles Y McDonald individual submitted by Personal knowledge Satisfactory Evidence Type _____

Kelley A Biederman
Signature of Notary Public



Notary Public
Typed, Printed or Stamped Name of Notary Public

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City of Flagler Beach Building Department



CITY OF FLAGLER BEACH BUILDING DEPARTMENT

CERTIFICATION OF SERVICE DISCONNECT

This document certifies that all utilities for the listed address below have been disconnected in preparation for demolition.

Job Address: 3590 South ocean Shore Blvd., Flagler Beach, Fl 32136

Property Owners Name: Sacher Capital Corp. Phone Number: 203-764-2277

Contractors Name: Samsula Demolition Phone Number: 386-423-6769

xx

Property Owners Signature, Eric O'Brien, 9 Jan 2025

For Use by Water & Sewer Department. Work Order Generated for Disconnect, Scheduled Date of Disconnect, Water Meter Removed [checked], Water Meter to Remain With Base Fees [unchecked].

For Use by Building Department. Conformation All Utilities Are Disconnected, (Chief Building Official), (This section to be completed after property is inspected prior to issuance of permit)

- Keeping Water Meter Advantages for owner to maintain meter would be:
- You would not have to pay \$125 (meter removal \$25; reconnection fee \$100)
- You would have water on your property
- No need to set up new services when new home is complete (unless the property is sold).

- Rebuilding of Home In addition to other permitting fees, the permit will include:
- SEWER/WATER IMPACT FEES WILL BE COLLECTED AFTER 7 YEARS (if applicable) (Per Sec. 5.03.96. - Transfer of exemption.)
- IF meter was removed, the Building Department will charge \$100 Per Resolution 2015-18, Schedule W8 for a reconnection charge.



CITY OF FLAGLER BEACH
BUILDING DEPARTMENT

RODENT CONTROL CERTIFICATE

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City of Flagler Beach
Building Department

Address of building to be demolished: 3590 South ocean Shore Blvd., Flagler Beach, Fl 32136

Contractor's Name: Samsula Demolition Phone Number: 386-423-6769

Charles Y McDonald Charles Y McDonald 1/6/2025
(Contractor's Signature) (Printed Name) (Date)

THIS SECTION TO BE FILLED OUT BY PEST CONTROL TECHNICIAN

By signing this form I certify this property has been inspected and is free of any rodents or other pests in preparation for demolition.

Date of Inspection: _____

Inspectors Signature: _____

Pest Control Company Name: _____

State License Number: _____

(This section to be completed by Pest Control Technician prior to a demolition permit application being submitted to the Flagler Beach Building Department)

This certificate must be signed by a company licensed by the state of Florida, Department of Agriculture and Consumer Services, licensed under the category of Commercial Structural Pest Control and Health Related (Rodents).



Purchase Order Subcontract Agreement

Date: December 30, 2024

Project: **Building Demolition – 3590 South Ocean Shore Blvd, Flagler Beach, FL 32136**

Owner: **Sachem Capital Corp. 568 East Main St, Branford, Ct 06405**

Urbane Capital, LLC ("Construction Manager") hereby authorizes Samsula Demolition ("Contractor") to perform the following service for the above identified Project in accordance with the scope of work as set forth below ("The Work").

The Work should be completed within (4) weeks of receipt of permit from the City of Flagler Beach, FL.

Compensation:

The Owner shall pay the Contractor, subject to the terms of this Purchase Order, the sum of **Thirty Thousand Six Hundred Twenty and 00/100 Dollars (\$30,620.00)** inclusive of all reimbursable expenses.

The Work:

Obtain a demolition permit from the City of Flagler for the demolition of two existing partially completed structures at the above referenced address.

Dismantle/demolish and properly dispose of all debris, two metal framed structures. Existing building slabs and foundations are to remain and be protected from damage as best as possible. Structural steel columns and metal framing to be carefully unbolted from slabs & foundations to prevent damage to concrete. Utility stub-ups to be cut approximately 10" above slab and protected during demolition, plumbing lines to be capped.

Clean and properly dispose of various debris and miscellaneous construction materials on property. No materials/debris are to remain.

Remove and properly dispose of perimeter fencing.

All demolition debris to be hauled off site for proper disposal.

Site to be graded to a smooth/level condition, utilizing existing soils, upon completion.


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Building Department

Authorized signatures:

Construction Manager: Urbane Capital, LLC
By: 
Name: Eric O'Brien
Title: Managing Director

Contractor: Samsula Demolition

Name: ~~Michael McDonald~~ Charles McDonald
Title:

Payment Terms: Lump sum invoice to be submitted upon completion, payment to be issued Net 30. Any applicable taxes to be listed separately.

Purchase Order Subcontract Agreement

1. Indemnification and Contractor's Liability

Contractor hereby assumes the entire responsibility and liability for all Work, supervision, labor and materials provided, whether or not erected in place, and for all plant, scaffolding, tools, equipment, supplies and other things provided by Contractor until final acceptance of the entirety of the Work by Owner. In the event of any loss, damage or destruction thereof from any cause, Contractor shall be liable therefor, and shall repair, rebuild and make good said loss, damage or destruction at Contractor's cost, subject only to the extent that any net proceeds are payable under any builder's risk property insurance that may be maintained by Owner or Construction Manager, if any. To the fullest extent permitted by law, the Contractor shall indemnify, defend, and hold harmless the Construction Manager, Owner and their respective officers, directors, employees and agents ("Indemnified Parties") from and against all claims, damages, demands, losses, expenses, fines, causes of action, suits or other liabilities, (including all costs reasonable attorneys' fees, consequential damages, and punitive damages), arising out of or resulting from, or alleged to arise out of or arise from, the performance of Contractor's Work under the Purchase Order, whether such claim, damage, demand, loss or expense is attributable to bodily injury, personal injury, sickness, disease or death, or injury to or destruction of tangible property, including the loss of use resulting therefrom; but only to the extent attributable to the negligence of the Contractor or any entity for which it is legally responsible or vicariously liable; regardless of whether the claim is presented by the Contractor's employee, his/her spouse, legal or domestic partner under applicable state law and/or dependents of the Contractor's employee. Such indemnity obligation shall not be in derogation or limitation of any other obligation or liability of the Contractor or the rights of the Construction Manager contained in this contract or otherwise. This Indemnification shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor under any workers' compensation acts, disability benefits acts or other employee benefits acts and includes any loss or injury suffered by an employee of the Contractor or any others who claim to have directly or derivatively sustained injury or damages due to the injury sustained by the Contractor's employee. This indemnification shall be in

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City of Flagler Beach
Building Department

addition to any Indemnity liability imposed by the Contract Documents and shall survive the completion of the Work or the termination of the Agreement.

2. Contractor's Insurance

Prior to commencing the Work, Contractor shall procure, and thereafter maintain, at its own expense, until final acceptance of the Work or later as required by the terms of the Purchase Order, insurance coverage required by the Contract Documents and this Subcontract. At a minimum, the types of insurance and minimum policy limits specified shall be maintained in a form and from insurers acceptable to Contractor as set forth below. All insurers shall have at least an A- (excellent) rating by A.M. Best and be qualified to do business and issue the requisite line of insurance in the state where the project is located.

This insurance will provide a defense and indemnify the Construction Manager, but only to the extent attributable to the negligence of the Contractor or any entity for which it is legally responsible or vicariously liable.

Proof of this insurance shall be provided to the Construction Manager before the Work commences, as set forth below. To the extent that the Contractor subcontracts with any other entity or individual to perform all or part of the Contractor's Work, the Contractor shall require the Sub-Subcontractors, prior to the commencement of the Work, to furnish evidence of equivalent insurance coverage that includes in all respects the same terms and conditions as set forth herein. In no event shall the failure to provide this proof, prior to the commencement of the Work, be deemed a waiver by the Construction Manager of Contractor's or the Subcontractor's insurance obligations set forth herein. In the event that the insurance company(ies) issuing the policy(ies) required by this Purchase Order Agreement deny coverage to the Owner, Construction Manager or the Contractor, the Subcontractor will, upon demand by the Construction Manager, defend and indemnify the Owner and Contractor at the Subcontractor's or Sub-Subcontractor's expense.

Commercial General Liability Insurance

\$1,000,000 Each Occurrence Limit (Bodily Injury and Property Damage) \$2,000,000 General Aggregate per Project

\$2,000,000 Products & Completed Operations Aggregate

\$1,000,000 Personal and Advertising Injury Limit

Business or Commercial Automobile Liability Insurance

\$1,000,000 Combined Single Limit per accident

Workers' Compensation and Employers' Liability Insurance (at the limit chosen in the drop down box below)

\$500,000 Each Accident; \$500,000 Each Employee for Injury by Disease; \$500,000 Aggregate for Injury by Disease

Excess or Umbrella Liability (to overlay Employer's Liability, Automobile Liability and Commercial General Liability coverages)

\$1,000,000 Occurrence /aggregate

The Construction Manager and Owner, along with their respective officers, agents and employees, shall be named as additional insureds on the Business or Commercial Automobile

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JAN 09 2025

City of Flagler Beach
Building Department

Liability Policy and for Ongoing Operations and Products/Completed Operations on the Contractor's and any Subcontractor's Commercial General Liability Policy and Excess or Umbrella Policy. The Contractor shall continue to carry Completed Operations Liability Insurance for at least three (3) years after either ninety (90) days following Substantial Completion of the Work or final payment to the Contractor on any Individual Project, whichever is later.

It is expressly understood by the parties to this Agreement that it is the intent of the parties that any insurance obtained by the Construction Manager shall be deemed excess, non-contributory and not co-primary in relation to the coverage(s) procured by the Contractor, or any of their respective consultants, officers, agents, subcontractors, employees or anyone directly or indirectly employed by any of them, or by anyone for whose acts any of the aforementioned may be liable by operation of statute, government regulation or applicable case law.

To the fullest extent permitted by applicable state law, a Waiver of Subrogation Clause shall be added to the General Liability, Automobile, Excess or Umbrella Liability and Workers Compensation policies in favor of Construction Manager and Owner, and this clause shall apply to the Construction Manager's and Owner's officers, agents and employees, with respect to all Projects during the policy term.

Prior to commencement of Work on any Individual Project, Contractor shall submit a Certificate of Insurance in favor of Construction Manager and an Additional Insured Endorsement (in a form acceptable to the Contractor) as required hereunder. The required Insurance policies and Certificate shall provide for thirty (30) days' advance notice to Construction Manager of the cancellation or any change in coverage. Copies of Insurance policies shall promptly be made available to the Construction Manager upon request.

3. Safety & Clean-up

The Construction Manager makes no representation with respect to the physical conditions or safety of any Project Site. The Contractor or Subcontractor shall, at its own expense, preserve and protect from injury its employees engaged in the performance of the Work and all property and persons which may be affected by its operations in performing the Work. The prevention of accidents to workers engaged in the Work and others affected by the Work is the responsibility of the Contractor or Subcontractor, and Subcontractor or Sub-Subcontractor shall comply with all federal, state, labor and local laws, regulations and codes concerning safety as shall be applicable to the Work and to the safety standards established by Construction Manager during the progress of the Work. Contractor or the Subcontractor shall clean up the areas used by It or It's Work on a daily basis in a manner that will not impede either the progress of the Project or of other trades.

Subcontractor Initial & Date

_____ / /

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Building Department



SAMSULA DEMOLITION

Phone: 386-423-6769
Cell: 386-314-2254
Fax: 386-423-1436
Email: mike.samsulademolition@yahoo.com
363 State Road 415
New Smyrna Beach FL, 32168

PROPOSAL CONTRACT AGREEMENT

To: SACHEM Capital Corp
Attn: Mark JOSEPA BARRILE
Date: 12/17/24

203-764-2277 EXT. 201
Phone: 904-583-9354
Email: Mark@anabasisreit.com
JOE@URBANECAPITALLLC.COM

We hereby submit specifications and estimates to:
PROJECT: 3590 South Ocean Shore Blvd Flagler Beach, Fla.

DESCRIPTION OF WORK: Mobilization of Equipment, Supervision, Trucking of Debris to a Licensed Disposal Facility including Tipping Fees, Recycling of Concrete Blocks/ Footers/ Foundations/ Various Slabs, Salvage Rights.

Demolition:

- Dismantle/ Demo 2 Each Metal Frame Structures, Concrete Slabs and Foundation to Remain, Sawcut Piping and Cap as Needed.
- Clean-Up Various Debris on Property.
- Remove Fencing.
- Rough Grading with Existing Soils Areas Disturbed by Demolition.
- Demo Permit (Flagler)
- Hydro-Seeding Areas Disturbed by Demolition.

Total: \$30,620.00

Note: If Silt Fencing or Tree Protection (Orange Plastic Fencing with Wood Stakes) is Required the Cost to Install is \$4.00 l.f. There is a Minimum Charge of \$500.00.

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 Building Department

Owner Information

Primary Owner
 Sachem Capital Corp
 568 E Main Street
 Branford, CT 06405

Change of Address Application

Change of Address Application

2 structures

3 stories each

Parcel Summary

Parcel ID 29-12-32-0000-01032-0000
 Prop ID 85664
 Location Address 20 CLUBHOUSE DR UNIT 20
 FLAGLER BEACH, FL 32136
 Brief Tax Description* PART OF GOVT LOT 1 PARCEL B 129 FT ON WLY SIDE OF A1A EXTENDING WEST TO COUNTY ROAD & EXTENDING EAST TO ATLANTIC OCEAN OR 57 PP 29 & 534 OR 227 PG 585 OR 608 PG 1676 OR 1246 PG 5 OR 1302 PG 1819 OR 1777/1134-CT OR 1784/55-AMD CT OR 2261/1513
 (Note: *The Description above is not to be used on legal documents.)
 Property Use Code VACANT (000000)
 Tax District FLAGLER BEACH AREA (District 21)
 Millage Rate 19.5824
 Homestead N
 GIS sqft 37,170.135

[View Map](#)

Linked Personal Property

- 8530223

Valuation

	2024 Certified Values	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values
Building Value	\$0	\$0	\$0	\$61,160	\$49,678
Extra Features Value	\$0	\$0	\$0	\$2,378	\$2,378
Land Value	\$2,081,134	\$1,895,839	\$1,742,926	\$926,037	\$609,710
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$2,081,134	\$1,895,839	\$1,742,926	\$989,575	\$661,766
Assessed Value	\$2,081,134	\$1,895,839	\$1,742,926	\$727,943	\$661,766
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$2,081,134	\$1,895,839	\$1,742,926	\$727,943	\$661,766
Protected Value	\$0	\$0	\$0	\$261,632	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Historical Assessment

Year	Building Value	Extra Features Value	Land Value	Agricultural Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Protected Value
2024	\$0	\$0	\$2,081,134	\$0	\$2,081,134	\$2,081,134	\$0	\$2,081,134	\$0
2023	\$0	\$0	\$1,895,839	\$0	\$1,895,839	\$1,895,839	\$0	\$1,895,839	\$0
2022	\$0	\$0	\$1,742,926	\$0	\$1,742,926	\$1,742,926	\$0	\$1,742,926	\$0
2021	\$61,160	\$2,378	\$926,037	\$0	\$989,575	\$727,943	\$0	\$727,943	\$261,632
2020	\$49,678	\$2,378	\$609,710	\$0	\$661,766	\$661,766	\$0	\$661,766	\$0
2019	\$50,227	\$2,197	\$609,710	\$0	\$662,134	\$662,134	\$0	\$662,134	\$0
2018	\$54,091	\$2,510	\$482,929	\$0	\$539,530	\$539,530	\$0	\$539,530	\$0
2017	\$58,589	\$2,549	\$481,429	\$0	\$542,567	\$540,458	\$0	\$540,458	\$2,109
2016	\$53,300	\$2,833	\$444,858	\$0	\$500,991	\$491,325	\$0	\$491,325	\$9,666
2015	\$48,346	\$3,117	\$395,196	\$0	\$446,659	\$446,659	\$0	\$446,659	\$0
2014	\$47,338	\$3,400	\$394,896	\$0	\$445,634	\$445,634	\$0	\$445,634	\$0
2013	\$46,331	\$3,682	\$394,596	\$0	\$444,609	\$444,609	\$0	\$444,609	\$0
2012	\$50,360	\$3,965	\$394,596	\$0	\$448,921	\$448,921	\$0	\$448,921	\$0
2011	\$54,389	\$4,249	\$492,870	\$0	\$551,508	\$551,508	\$0	\$551,508	\$0
2010	\$147,636	\$4,377	\$0	\$0	\$1,012,848	\$0	\$0	\$0	\$1,012,848
2009	\$184,010	\$4,650	\$0	\$0	\$1,050,110	\$0	\$0	\$0	\$1,050,110

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TRIM Notice

[2024 TRIM Notice \(PDF\)](#)

Sales

Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Link to Official Records
10/29/2024	\$2,100	CT	2911	813	Unqualified (U)	Vacant	JEANNIMARIE LLC	Link (Clerk)
4/22/2024	\$0	CT	2863	1266	Unqualified (U)	Vacant	BUTLER & BUTLER PROPERTIES LLC	Link (Clerk)
5/7/2021	\$1,250,000	WD	2570	119	Qualified (Q)	Vacant	MOONLIGHT BEACH LLC	Link (Clerk)
2/22/2018	\$780,000	WD	2261	1513	Qualified (Q)	Improved	* LINCOLNSHIRE FLAGLER LLC	Link (Clerk)
7/26/2010	\$0	CT	1777	1134	Unqualified (U)	Improved	* VILLAS DI MARE SOUTH DEVELOP	Link (Clerk)
8/15/2005	\$1,800,000	WD	1302	1819	Unqualified (U)	Improved	* SURF PARTNERS LLC	Link (Clerk)
4/25/2005	\$1,208,000	WD	1246	5	Qualified (Q)	Improved	* STARFIRE ON A1A INC	Link (Clerk)
3/1/1998	\$220,000		608	1676	Unqualified (U)	Vacant	* FLAGLER ATLANTIC BUSINESS CO	Link (Clerk)
1/1/1984	\$127,500		227	585	Unqualified (U)	Vacant	* Unknown Seller	Link (Clerk)
1/1/1900	\$501,713		0	0	Unqualified (U)	Improved	* CONVERSION	Link (Clerk)

No data available for the following modules: MLS Listings, Property Information, Residential Buildings, Commercial Buildings, Sketches, Building Area Types, Extra Features.

The Property Appraiser makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. If you feel that any information contained herein is incorrect, please contact our office at (386)313-4150

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 Last Data Upload: 1/6/2025, 7:20:49 AM

Contact Us





Legend

3590 S Ocean Shore Blvd

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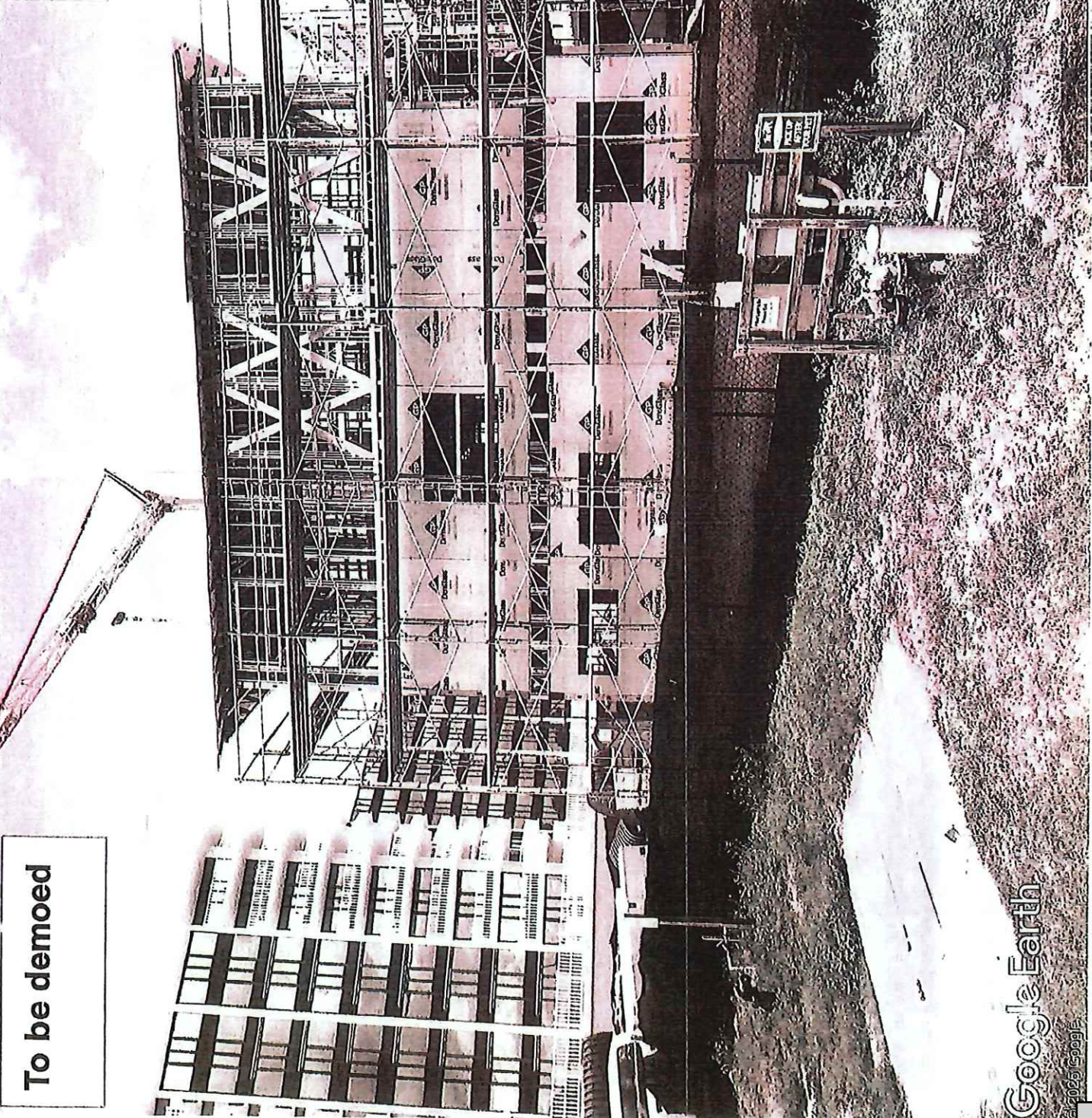
5.54 ft

Google Earth

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3590 S Ocean Shore Blvd

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Building Department



To be demoed

Legend

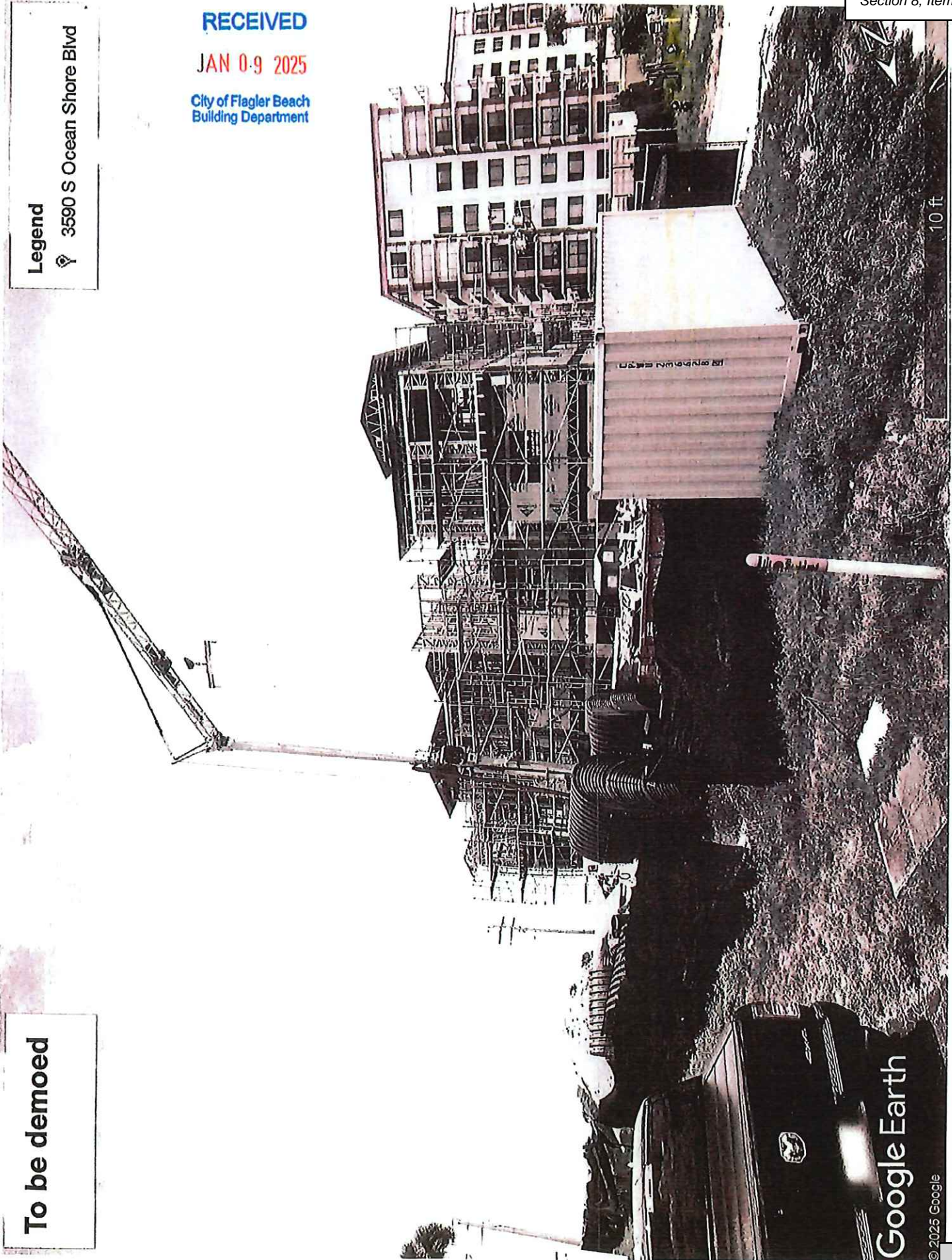
📍 3590 S Ocean Shore Blvd

RECEIVED

JAN 09 2025

City of Flagler Beach
Building Department

To be demoed



10 ft

Google Earth

© 2025 Google

RECEIVED

JAN 09 2025

City of Flagler Beach Building Department

Notice of Commencement

This Instrument Prepared by: Samsula Demolition Address: 363 S State Rd 415, NSB, FL 32168
Tax Follo No. 29-12-32-0000-01032-0000 Name: Sachem Capital Corp.
Permit No. _____

State of Florida
County of Flagler

The undersigned hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

1. Description of Property: Lot 1 parcel B 129 ft on wly side of A1A extending west to county rd & extending east to atlantic ocean or 67 pp 29 & 594 or 227 pg 585 or 608 pg 1676 or 1246 pg 5 or 1302 pg 1819 or 1777/1134 ct or 1784/55-amd ct or 2261/1513
(Legal description and street address) (3590 S Ocean Shore Blvd., Flagler Beach, FL 32136)

2. General Description of Improvement: Demolition of 2 uncompleted structures 3 stories high
(Be specific -- no "all improvements")

3. Owner Information: Name and address: Sachem Capital Corp, 568 E Main Street, Branford, CT 06405
Interest in Property: 100%

(If other than owner) Name and address of fee simple titleholder:

4. Contractor Information: Name and address: Samsula Demolition 363 S State Rd. 415, NSB, FL 32168
Phone number: 386-423-6769

5. Surety Information: Name and address:
Phone number:
Amount of bond:

6. Lender Information: Name and address:
Phone number:

7. Persons within the State of Florida designated by Owner upon whom notices or other documents may be served as provided by Section 713.13(1)(a)7., Florida Statutes:

Name and Address:
Phone Number:

8. In addition to himself, owner designates the following person(s) to receive a copy of the Lienor's Notice as provided in Section 713.13(1)(b), Florida Statutes.

Name and Address:
Phone number:

Expiration date of Notice of Commencement (the expiration date is 1 year from the date of recording unless a different date is specified)

WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART 1, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

xx [Signature] Senior Vice President
Signature of Owner or Owners Authorized Office/Director Signatory's Title/Office
Partner/Manager

The foregoing instrument was acknowledged before me this 9th day of January, 2025
(year) by ERIC O'BRIEN (name of person) as
SR VICE PRESIDENT (type of authority... officer, trustee,
attorney in fact) for SACHEM CAPITAL CORP. (name of party on
behalf of whom instrument was executed).

[Signature]
Signature of Notary Public -- State of Florida
Personally known X or produced Identification _____ Stamp
In person

Verification pursuant to Section 92.625, Florida Statutes
Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true to the best of my knowledge and belief.

[Signature]
Signature of Natural Person Signing Above

JASON EDWARD ADOLPH
NOTARY PUBLIC
MY COMMISSION EXPIRES OCT. 31, 2027

City of Flagler Beach Code Enforcement

Case #: EEN23-0011

Respondent: SACHEM CAPITAL CORP

Property Address: 3590 S OCEAN SHORE BLVD, FLAGLER BEACH, FL 32136*

Mailing Address: 568 E MAIN STREET, BRANFORD, CT 06405

Other Address: * TAX PARCEL ID 29-12-32-0000-01032-0000

Notice Type	Date	Regular Mail Pieces	Regular Mail Cost Per Piece	Regular Total	Certified Mail Pieces	Certified Mail Cost Per Piece	Certified Total	Total Mailing Cost
REQUEST TO FORECLOSE	12/23/2024	2	\$0.69	\$1.38	2	\$8.16	\$16.32	\$17.70
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00

Total Cost To Date	\$17.70
---------------------------	----------------

Fines Ordered	Starting Date	Present Date	Total Days	AMT.	Fine Accrual To Date
8/23/2023	7/6/2023	1/22/2025	566	\$250.00	\$141,500.00



Special Magistrate Hearing

Code Enforcement

January 22, 2025

Case Number: EEN22-0106

Respondent: Cortez Artedi & Welhelmina

Address of Violation: 1336 S Flagler Avenue

Tax Parcel ID Number: 18-12-32-2750-00181-0090

Violation: City Of Flagler Beach Code of Ordinances, Chapter 13 Nuisances, Article 1 – In General, Section 13-1 Definition (4)

- Attachments:** Affidavit of Posting – 12/23/2024
Request to Foreclose Notice of Hearing – 12/23/2024
Certified Mailings
Recorded Findings of Fact Order – 1/28/2023
Flagler County Property Appraiser Property Card
Mailing Cost and Fine Accrual to Date

Total Cost of Mailings \$17.70

Fine Accrual to Date \$253,900.00

AFFIDAVIT OF POSTING

STATE OF FLORIDA

COUNTY OF FLAGLER

Ref: City of Flagler Beach

vs.

CORTEZ ARTEDI & WELHELMINA

PO BOX 4185

WESTMINSTER, CA 92684

CODE ENFORCEMENT CASE NO.: EEN22-0106

John Gifford, Code Enforcement Officer states:

- 1. That I am employed as a Code Enforcement Officer by the City of Flagler Beach.
- 2. That pursuant to Florida Statute 162.12, Notices on the 23rd day of December, 2024, I posted the foregoing notice to Cortez Artedi & Welhelmina, 1336 S Flagler Avenue, Flagler Beach, Fl 32136, as well as a posted notice 105 S. 2nd Street Flagler Beach, Florida (City Hall), for the dated December 23, 2024.

FURTHER, Affiant saith not.



 Code Enforcement Officer

STATE OF FLORIDA

COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me by means of physical presence notarization the 23rd day of December, 2024 by John Gifford, City of Flagler Beach Code Enforcement Officer, who is personally known to me.





 NOTARY PUBLIC

BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
OF THE CITY OF FLAGLER BEACH, FLORIDA

CORTEZ ARTEDI & WELHELMINA
PO BOX 4185
WESTMINSTER, CA 92684

CITY OF FLAGLER BEACH,)
FLORIDA, a municipal corporation,)
)
Petitioner,)
vs.)

CASE NO: EEN 22-0106

ARTEDI CORTEZ and)
WELHELMINA CORTEZ, owners)
)
Respondents.)

REQUEST TO FORECLOSE - NOTICE OF HEARING

Premises: 1336 S FLAGLER AVENUE, FLAGLER BEACH, FL 32136

Pursuant to Chapter 162, *Florida Statutes*, the Code Enforcement Special Magistrate was created in Chapter 2, Article IV, Division 2, Sections 2-71 through 2-83, *City of Flagler Beach Code of Ordinances*, to hear Code Enforcement matters. The Special Magistrate shall conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring violations of any City Code into compliance, including imposing fines and other noncriminal penalties to enforce the *Code of Ordinances*.

YOU ARE HEREBY FORMALLY NOTIFIED that on **WEDNESDAY, JANUARY 22, 2024 @ 3:00PM**, There will be a **HEARING** before the Special Magistrate in the City Commission Chambers, 105 2nd Street South, Flagler Beach, Florida, at which the City will request permission to foreclose the code enforcement lien entered in this case. Your failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

YOU ARE HEREBY NOTIFIED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this hearing. Please be prepared to present evidence at the hearing concerning the amount of time necessary to correct the alleged violation, should you be found in violation of the *Code of Ordinances*.

If you wish to have any witnesses subpoenaed, or have any other questions, please contact the office of Code Enforcement Officer within five (5) days, at 800 S Daytona Ave, Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: December 23, 2024


John Gifford,
Code Enforcement Officer

I hereby certify that a copy of the foregoing was delivered by regular and certified mail # 9214 8901 9403 8393 1263 65 and 9214 8901 9403 8393 1263 96 December 23, 2024.

Mailer: City of Flagler Beach

Date Produced: 01/03/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8393 1263 96. Our records indicate that this item was delivered on 01/02/2025 at 04:22 p.m. in WESTMINSTER, CA 92684. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

PO BOX 4185
WESTMINSTER, CA 92684-4185

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

CORTEZ ARTEDI & WELHELMINA
PO BOX 4185
WESTMINSTER, CA 92684

Customer Reference Number: C5540577.33575660
Return Reference Number EEN22-0106 REQUEST TO FORECLOSE



Return address:

CITY OF FLAGLER BEACH
105 S 2ND ST
FLAGLER BEACH FL 32136

Recipient address:

CORTEZ ARTEDI & WELHELMINA
PO BOX 4185
WESTMINSTER, CA 92684

MAILING DATE: 12/23/2024
DELIVERY DATE: 01/02/2025

USPS CERTIFIED MAIL



9214 8901 9403 8393 1263 96

USPS Tracking Label Number: 9214 8901 9403 8393 1263 96

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	12/23/2024 10:17
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	12/23/2024 14:02
AVAILABLE FOR PICKUP	WESTMINSTER,CA 92684	12/31/2024 10:45
DELIVERED INDIVIDUAL PICKED UP AT PO	WESTMINSTER,CA 92684	01/02/2025 16:22

CUSTOM 1:

DATE PRODUCED: 1/8/2025 2:36 AM

CITY OF FLAGLER BEACH:

The following is information for Certified Mail™/RRE item number:

9214 8901 9403 8393 1263 65

Our records indicate that this item was RETURNED TO SENDER.

ORIGINAL INTENDED RECIPIENT:

CORTEZ ARTEDI & WELHELMINA

1336 S FLAGLER AVE

FLAGLER BEACH, FL 32136

The above information represents information provided by the United States Postal Service.

Return Reference Number:



Mailer: City of Flagler Beach

Date Produced: 01/08/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8393 1263 65. Our records indicate that this item was delivered on 01/07/2025 at 12:18 p.m. in FLAGLER BEACH, FL 32136. The scanned image of the recipient information is provided below.

Signature of Recipient :

RE Settle
Kate Settle

Address of Recipient :

PO BOX 70
FLAGLER BEACH, FL 32136-0070

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

CORTEZ ARTEDI & WELHELMINA
1336 S FLAGLER AVE
FLAGLER BEACH, FL 32136

Customer Reference Number: C5540577.33575659
Return Reference Number EEN22-0106 REQUEST TO FORECLOSE

Return address:

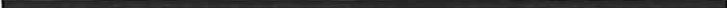
CITY OF FLAGLER BEACH
105 S 2ND ST
FLAGLER BEACH FL 32136



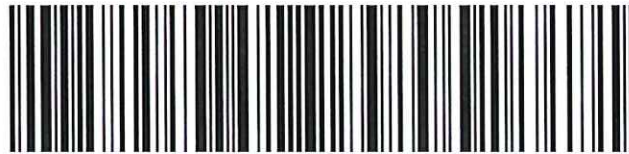
Recipient address:

CORTEZ ARTEDI & WELHELMINA
1336 S FLAGLER AVE
FLAGLER BEACH, FL 32136

MAILING DATE: 12/23/2024
DELIVERY DATE: 01/07/2025



USPS CERTIFIED MAIL



9214 8901 9403 8393 1263 65



USPS Tracking Label Number: 9214 8901 9403 8393 1263 65

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	12/23/2024 10:17
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	12/23/2024 14:02
VACANT	FLAGLER BEACH,FL 32136	12/24/2024 10:04
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	12/28/2024 19:41
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	12/30/2024 12:29
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	01/01/2025 03:17
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	01/02/2025 08:18
PROCESSED THROUGH USPS FACILITY	SARASOTA FL DISTRIBUTION CENTER 34260	01/03/2025 04:26
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	01/04/2025 15:54
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	01/04/2025 21:53
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	01/05/2025 20:51
AVAILABLE FOR PICKUP	FLAGLER BEACH,FL 32136	01/06/2025 11:20
RETURN TO SENDER INDIVIDUAL PICKED UP AT PO	FLAGLER BEACH,FL 32136	01/07/2025 12:18

CUSTOM 1:

**BEFORE THE CODE ENFORCEMENT MAGISTRATE FOR THE
CITY OF FLAGLER BEACH, FLORIDA**

CITY OF FLAGLER BEACH,

Petitioner,

vs.

CASE NUMBER BEN 22-0106

ARTEDI CORTEZ and
WELHELMINA CORTEZ,

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

THIS MATTER having come before the Code Enforcement Magistrate for the City of Flagler Beach, Florida for hearing and determination on January 25, 2023 and the undersigned having received evidence and heard testimony under oath thereupon issues the following Findings of Fact and Order:

FINDINGS OF FACT

1. The property subject to this proceeding is located at 1336 S Flagler Avenue, Flagler Beach, FL 32136 and has Flagler County Tax Parcel ID 18-12-32-2750-00181-0090 (the "Subject Property").
2. ARTEDI CORTEZ and WELHELMINA CORTEZ are the record title owners of the Subject Property.
3. On June 7, 2022, the Code Enforcement Officer for the City of Flagler Beach properly served a Notice of Violation on Respondents. Said Notice of Violation cited a violation of Chapter 13 of the City of Flagler Beach Code of Ordinances finding that the dilapidated condition of the structure located upon the Subject Property and overgrown condition of the lot constitutes a nuisance and rodent harborage as defined in said Chapter.
4. The Notice of Violation required correction of the condition by July 7, 2022.
5. The violation was not cured by July 7, 2022.

BASED UPON THE FOREGOING, IT IS ORDERED:

6. Respondents have not cured the violation as of the date of the hearing.

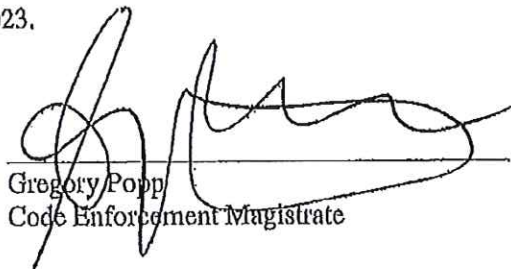
7. Due to the severity of the violation related to the condition of the structure located on the Subject Property a fine in the amount of \$250.00 per day shall accrue beginning on January 25, 2023. The matter shall be scheduled for a status hearing at the regular April hearing date. At such hearing the undersigned shall hear evidence and testimony as to whether and how quickly Respondent addressed the conditions of the structure and shall consider whether to reduce any of the accrued fines related to this violation prior to imposition of fines and creation of a lien.

8. Respondents shall cure the violation related to the overgrown condition of the grass, weeds, and vegetation on the Subject Property on or before February 9, 2023. If the overgrown grass, weeds, and vegetation are not brought into Code compliance by such date, a fine in the amount of \$100.00 per day shall accrue from February 3, 2023 until compliance is met. In the event on non-compliance with this portion of the Order, imposition of fines for the overgrown conditions shall be considered at the April regular hearing.

9. Respondents shall pay to the City the administrative costs incurred in prosecuting this matter in the amount of \$33.56 within thirty days of the date of this Order.

10. Any future violation of the same Code section by Respondents within five years of the date of this Order may be prosecuted as a repeat violation.

ORDERED on this 25th day of January, 2023.


Gregory Popp
Code Enforcement Magistrate



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon Respondents by Certified and Regular Mail to Respondents this 31 day of January, 2023.



Bonnie Bramer
Bonnie Bramer,
Clerk to the Special Magistrate

Section 8, Item f.

Owner Information

Primary Owner
Cortez Artedi & Welhelmina
PO Box 4185
Westminster, CA 92684

Change of Address Application

Change of Address Application

Parcel Summary

Parcel ID 18-12-32-2750-00181-0090
Prop ID 84368
Location Address 1336 S FLAGLER AVE
FLAGLER BEACH, FL 32136
Brief Tax Description* FUQUAY SUB DIV BL-18F SLY 10 FEET LOT 9 & 10 OR BOOK 105 PAGE 415 OR 123 PG 270
(Note: *The Description above is not to be used on legal documents.)
Property Use Code SINGLE FAMILY (000100)
Tax District FLAGLER BEACH AREA (District 21)
Millage Rate 19.5824
Homestead N
GIS sqft 9,000.399

[View Map](#)

Valuation

	2024 Certified Values	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values
Building Value	\$76,018	\$74,834	\$71,682	\$64,142	\$45,589
Extra Features Value	\$752	\$752	\$752	\$683	\$768
Land Value	\$135,500	\$135,500	\$135,500	\$87,500	\$80,000
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$212,270	\$211,086	\$207,934	\$152,325	\$126,357
Assessed Value	\$184,999	\$168,181	\$152,892	\$138,993	\$126,357
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$184,999	\$168,181	\$152,892	\$138,993	\$126,357
Protected Value	\$27,271	\$42,905	\$55,042	\$13,332	\$0

Just (Market) Value description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Historical Assessment

Year	Building Value	Extra Features Value	Land Value	Agricultural Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Protected Value
2024	\$76,018	\$752	\$135,500	\$0	\$212,270	\$184,999	\$0	\$184,999	\$27,271
2023	\$74,834	\$752	\$135,500	\$0	\$211,086	\$168,181	\$0	\$168,181	\$42,905
2022	\$71,682	\$752	\$135,500	\$0	\$207,934	\$152,892	\$0	\$152,892	\$55,042
2021	\$64,142	\$683	\$87,500	\$0	\$152,325	\$138,993	\$0	\$138,993	\$13,332
2020	\$45,589	\$768	\$80,000	\$0	\$126,357	\$126,357	\$0	\$126,357	\$0
2019	\$45,589	\$768	\$70,000	\$0	\$116,357	\$116,357	\$0	\$116,357	\$0
2018	\$0	\$513	\$65,000	\$0	\$65,513	\$65,513	\$0	\$65,513	\$0
2017	\$78,087	\$513	\$65,000	\$0	\$143,600	\$143,600	\$0	\$143,600	\$0
2016	\$73,624	\$427	\$65,000	\$0	\$139,051	\$134,628	\$0	\$134,628	\$4,423
2015	\$71,599	\$442	\$65,000	\$0	\$137,041	\$122,389	\$0	\$122,389	\$14,652
2014	\$64,792	\$473	\$53,500	\$0	\$118,765	\$111,263	\$0	\$111,263	\$7,502
2013	\$53,140	\$508	\$47,500	\$0	\$101,148	\$101,148	\$0	\$101,148	\$0
2012	\$49,604	\$541	\$47,500	\$0	\$97,645	\$97,645	\$0	\$97,645	\$0
2011	\$50,421	\$575	\$56,000	\$0	\$106,996	\$106,996	\$0	\$106,996	\$0
2010	\$49,325	\$609	\$0	\$0	\$129,934	\$0	\$0	\$0	\$129,934
2009	\$56,491	\$772	\$0	\$0	\$182,663	\$0	\$0	\$0	\$182,663

TRIM Notice

[2024 TRIM Notice \(PDF\)](#)

Residential Buildings

Building	1	Floor Cover	CARPET, CERA/CLAY
Type	SINGLE FAM	Heat	FO AIR DCT
Total Area	1990	Air Conditioning	CENTRAL
Heated Area	960	Bedrooms	0
Exterior Walls	CONSTUCCO	Bathrooms	2
Roof Cover	ASPCOM SH	Actual Year Built	1978
Interior Walls	DRYWALL	Effective Year Built	1978
Frame Type	MASONRY		

Building Area Types

Type	Description	Sq. Footage	Act Year
BAS	BASE AREA	960	1978
FGR	F GARAGE	550	1978
FSP	F SCR N PCH	480	1978

Extra Features

Code	Description	Area	Effective Year Built
001666	CONC W/LKWAY	105	1977
001663	CONC DRWAY	578	1978

Sales

Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Link to Official Records
5/1/1979	\$37,500		120	159	Unqualified (U)	Improved	* Unknown Seller	Link (Clark)
1/1/1900	\$146,336		0	0	Unqualified (U)	Improved	* CONVERSION	Link (Clark)

No data available for the following modules: MLS Listings, Linked Personal Property, Property Information, Commercial Buildings.

City of Flagler Beach Code Enforcement

Case #: EEN22-0106

Respondent: CORTEZ ARTEDI & WELHELMINA

Property Address: 1336 S FLAGLER AVENUE, FLAGLER BEACH, FL 32136

Mailing Address: P.O. BOX 4185, WESTMINSTER, CA 92684

Other Address:

Notice Type	Date	Regular Mail Pieces	Regular Mail Cost Per Piece	Regular Mail Total	Certified Mail Pieces	Certified Mail Cost Per Piece	Certified Mail Total	Total Mailing Cost
REQUEST TO FORECLOSE	12/23/2024	2	\$0.69	\$1.38	2	\$8.16	\$16.32	\$17.70
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00
			\$0.69	\$0.00		\$8.16	\$0.00	\$0.00

Total Cost To Date	\$17.70
---------------------------	----------------

Fines Ordered	Starting Date	Present Date	Total Days	AMT.	Fine Accrual To Date
1/28/2023	1/25/2023	1/22/2025	728	\$250.00	\$182,000.00
1/28/2023	2/3/2023	1/22/2025	719	\$100.00	\$71,900.00
				TOTAL	\$253,900.00