

# Application For Relief - Code Enforcement Liens

## Manatee County Code Enforcement Division

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

**Notice: This application is available as a WORD document for your convenience.**  
Manatee County accepts applications for Code Enforcement Lien relief from owners of properties that have corrected ALL of the violations on the subject property. Please complete the form in its entirety. Incomplete applications will not be accepted.

Case # CE2011060188 Manatee County - vs - Deborah & Gene Folds

### Property Information

Parcel Identification Number: 6032500008		
Lot: 14	Block:	Subdivision: Cleo Villas
Address: 5823 2nd Street West		
City: Bradenton		Zip Code: 34207

### Property Owner Information

Current property owner: Bank of America NA c/o Skyhill Financial		
Address: 5771 Bolsa Ave #100		
City: Huntington Beach	State: CA	Zip: 92647
Phone #: 561-922-5361	Email address: smorales@Florida-Legal.net	
Representative/Agent: Greenfield Law Group, PA / Steven B. Greenfield, Esq.		
Address: 6111 Broken Sound Pkwy NW, Ste 350		
City: Boca Raton	State: FL	Zip: 33487
Phone #: 561-922-5361	Email address: smorales@Florida-Legal.net	

### Lien Information

Amount of lien: \$101,770.00 + \$20 recording fees	Amount of offer: \$1,000
Date lien was recorded: 11/04/2011	Number of days the property was in Violation: 2033
Date of Compliance: 05/16/2017	How much money was spent to abate the Violation:

The following documentation (when applicable) SHALL be submitted with the application:

(Reference any supporting documentation as Exhibit 1, Exhibit 2, and so forth.)

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

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

**FACTORS RELEVANT TO APPLICATIONS FOR RELIEF:**


1. The nature and gravity of the violation(s);
2. Any actions you have taken to correct the violation(s);
3. The length of time between the previously ordered compliance date and the date the violation(s) was brought into compliance;
4. Any actual costs you expended to cure the violation(s), if supported by documentation;
5. Any other prior or current violations you committed on the subject property or upon any other property you own within the County; and
6. Equitable considerations.
  - i. Whether there was any extraordinary hardship which existed or currently exists;
  - ii. Whether the applicant was the property owner when the fine or lien was imposed;
  - iii. Whether the property is homestead or non-homestead property;
  - iv. Whether the County lien is interfering with the sale or restoration of the property or will prevent the property from being conveyed to a new owner.

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

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

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

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

  
 \_\_\_\_\_  
 Signature of Owner/Authorized Representative

1/8/18  
 \_\_\_\_\_  
 Date

Steven B. Greenfield  
 \_\_\_\_\_  
 Print Name

*Note: County code section 2-36-8(f) allows the Board of County Commissioners to execute a satisfaction or release of lien. The application process requires two (2) public meetings. Once the application and documentation is found to be complete it will be scheduled and presented before a Special Magistrate. The findings of the Special Magistrate along with the application will be forwarded to the Board of County Commissioners for final approval or denial. All payments will need to be mailed to Manatee County, Attention Code Enforcement, P.O. Box 1000, Bradenton, FL 34206-1000 and payable to: Manatee County, and include the Case Number. Once payment is received a Satisfaction of Lien will be prepared and recorded.*

*Revised 3/20/15*

Filing # 45976210 E-Filcd 09/01/2016 01:42:01 PM

IN THE CIRCUIT COURT OF THE 12TH JUDICIAL  
CIRCUIT, IN AND FOR MANATEE COUNTY,  
FLORIDA  
GENERAL JURISDICTION DIVISION  
CASE NO:

BANK OF AMERICA, N.A.,  
Plaintiff,

vs.

GENE H. FOLDS, JR. A/K/A GENE FOLDS, JR.;  
DEBORAH A. GALLOPS; MANATEE COUNTY, A  
POLITICAL SUBDIVISION OF THE STATE OF  
FLORIDA; UNKNOWN TENANT #1; UNKNOWN  
TENANT #2;,  
Defendant(s).

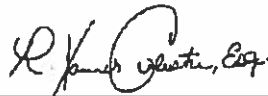
This space is for recording purposes only

NOTICE OF LIS PENDENS

1. TO: The above named Defendants, AND ALL OTHERS WHOM IT MAY CONCERN:
2. YOU ARE NOTIFIED of the institution of this action by the above-named Plaintiff, against you seeking to foreclose a Mortgage recorded on January 30, 1996 in Official Records Book 1478, at Page 6689, more particularly described as follows:

**LOT 14, CLEO VILLAS ADDITION, UNIT 1, ACCORDING TO THE PLAT THEREOF,  
RECORDED IN PLAT BOOK 10, PAGE 79 OF THE PUBLIC RECORDS OF MANATEE  
COUNTY, FLORIDA.**

Dated this 1st day of September, 2016.



Rodney X. Celestin, Esq.  
FRENKEL LAMBERT WEISS WEISMAN &  
GORDON, LLP  
One East Broward Blvd., Suite 1430  
Fort Lauderdale, Florida 33301  
Tel: (954) 522-3233 | Fax (954) 200-7770  
FL Bar #: 61109  
**DESIGNATED PRIMARY E-MAIL FOR SERVICE  
PURSUANT TO FLA. R. JUD. ADMIN 2.516  
flservice@flwlaw.com**

04-080909-F00

IN THE CIRCUIT COURT OF THE 12TH  
 JUDICIAL CIRCUIT, IN AND FOR  
 MANATEE COUNTY, FLORIDA

FOR CLERK'S USE ONLY

CLERK Case Number: 2016CA003988AX  
 CIVIL DIVISION

BANK OF AMERICA, N.A.  
 Plaintiff,

vs.

GENE H. FOLDS JR A/K/A GENE FOLDS JR; DEBORAH  
 A. GALLOPS; MANATEE COUNTY, A POLITICAL  
 SUBDIVISION OF THE STATE OF FLORIDA; UNKNOWN  
 TENANT #1; UNKNOWN TENANT #2;  
 Defendants.

FILED FOR RECORD  
 2017 AUG 16 PM 2:56  
 CLERK OF THE CIRCUIT COURT  
 MANATEE CO. FLORIDA

**AMENDED UNIFORM FINAL JUDGMENT OF MORTGAGE FORECLOSURE**

*This form substantially complies with Form 1.996, adopted by the Florida Supreme Court February 11, 2010, SC09-1579, and revised by the Florida Supreme Court on December 9, 2010, SC09-1579; form published in 12<sup>th</sup> Circuit on 4-5-10 and revised on 1/4/2011.*

THIS action was tried before the Court on May 25, 2017. On the evidence presented

IT IS ORDERED AND ADJUDGED that:

1. Plaintiff, BANK OF AMERICA, N.A., is due.

Description	Amount
Principal	\$44,444.17
Interest from 09/01/2011 to 05/25/2017 date of judgment	\$20,444.01
Hazard Insurance	\$8,884.57
Taxes	\$7,487.32
Mortgage Insurance	\$1,367.92
Service of Process	\$576.70
Filing Fees	\$471.96
Property Preservations/Inspections	\$32,986.55
Escrow Adjustment	\$8,628.00
Title Search Expense	\$410.00
Pre Acceleration Late Charges	\$281.30
<b>SUBTOTAL</b>	<b>\$125,982.50</b>
<b>LESS: Escrow balance</b>	<b>(\$6,849.82)</b>
<b>TOTAL:</b>	<b>\$119,132.68</b>

that shall bear interest at the rate of 5.05a year.

2. Plaintiff holds a lien for the total sum superior to all claims or estate of the defendant(s), on the following described property in MANATEE County, Florida: **LOT 14, CLEO VILLAS ADDITION, UNIT 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 10, PAGE 79 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.**

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

Check One	Sales Information	Date [Clerk Inserts]	Time	Location
<input type="checkbox"/>	Sarasota County		9:00 am or as soon as possible thereafter	Foreclosure sales conducted via Internet <a href="http://www.sarasota.realforeclose.com">www.sarasota.realforeclose.com</a>
<input checked="" type="checkbox"/>	Manatee County	No sooner than one hundred (120) days 7/26/2017	11:00 am or as soon as possible thereafter	Foreclosure sales conducted via Internet <a href="http://www.manatee.realforeclose.com">www.manatee.realforeclose.com</a>
<input type="checkbox"/>	DeSoto County		11:00 am or as soon as possible thereafter	DeSoto County Courthouse 115 Oak Street, Arcadia, FL 34266 <a href="http://www.desotoclerk.com">www.desotoclerk.com</a>

5. Plaintiff shall advance all subsequent costs of this action and shall be reimbursed for them by the Clerk if Plaintiff is not the purchaser of the property for sale, provided, however, that the purchaser of the property for sale shall be responsible for the documentary stamps payable on the certificate of title. If plaintiff is the purchaser, the Clerk shall credit Plaintiff's bid with the total sum with interest and costs accruing subsequent to this judgment, or such part of it, as is necessary to pay the bid in full.

6. On filing the certificate of title the clerk shall distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of the Plaintiff's costs; second, documentary stamps affixed to the Certificate; third, Plaintiff's attorney's fees; fourth, the total sum due the Plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 1 from this date to the date of the sale; and by retaining any remaining amount pending the further Order of this Court.

7. On filing the Certificate of Sale, defendant(s) and all persons claiming under or against defendant(s) since the filing of the notice of lis pendens shall be foreclosed of all estate or claim in the property, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any. Upon the filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property.

**NOTICE: Issuance of a writ of possession does not exempt plaintiff from complying with federal law requiring notice of tenants residing on foreclosed property. To insure compliance with federal law, Plaintiff should consult with counsel before serving the writ of possession.**

8. Jurisdiction of this action is retained to enter further orders as are proper including, without limitation, deficiency judgments, except where a discharge is applicable or where service of process was not personally obtained.

**NOTICE PURSUANT TO SECTION 45.031, FLORIDA STATUTES (2006).**

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

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

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

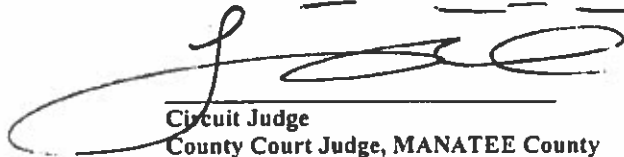
If you are the property owner, you may claim these funds yourself. You are not required to have a lawyer or any other representation and you do not have to assign you rights to anyone else in order for you to claim any money to which you are entitled. Please check with the clerk of the court within ten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

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

If you decide to sell your home or hire someone to help you claim the additional money, you should read very carefully all papers you are required to sign, ask someone else, preferably an attorney who is not related to the person offering to help you, to make sure that you understand what you are signing and that you are not transferring your property or the equity in your property without the proper information. If you cannot afford to pay an attorney, you may contact the local legal services listed below to see if you qualify financially for their services. If they cannot assist you, they may be able to refer you to a local bar referral agency or suggest other options. If you choose to contact one of the services listed below, you should do so as soon as possible after receipt of this notice.

Sarasota County	Manatee County	DeSoto County
<b>Legal Aid of Manasota Sarasota Office</b> 1900 Main Street, Suite 302 Sarasota, Florida 34236 (941) 366-0038 <b>Venice Office</b> 7810 South Tamiami Trail Suite A6 Venice, Florida 34231 <hr/> <b>Gulfcoast Legal Services</b> 1750 17 <sup>th</sup> Street, Bldg. 1 Sarasota, Florida 34236 (941) 366-1746 www.gulfcoastlegal.org	<b>Legal Aid of Manasota</b> 1101 6 <sup>th</sup> Avenue West Brandenton, Florida 34205 (941) 747-1628 www.gulfcoastlegal.org <hr/> <b>Gulfcoast Legal Services</b> 430 12 <sup>th</sup> Street West Bradenton, Florida 34205 (941) 746-6151 www.gulfcoastlegal.org	<b>Fla. Rural Legal Services</b> 3210 Cleveland Avenue, Suite A Ft. Myers, Florida 33901 (800) 476-8937 www.flrs.org

DONE AND ORDERED in Chambers in MANATEE County, Florida this 25TH day of MAY, 2017 NUNC PRO TUNC.

  
 Circuit Judge  
 County Court Judge, MANATEE County

Copies furnished to all parties on attached Service List

8-16-17

\$ 100.00  
DAS \$ .70

Filing # 61049669 E-Filed 08/29/2017 10 22 31 AM

IN THE CIRCUIT COURT OF THE 12TH  
JUDICIAL CIRCUIT, IN AND FOR  
MANATEE COUNTY, FLORIDA

CASE NO 2016CA003988AX

BANK OF AMERICA, N A ,  
Plaintiff,  
vs

GENE H FOLDS JR A/K/A GENE FOLDS JR,  
DEBORAH A GALLOPS, MANATEE COUNTY,  
A POLITICAL SUBDIVISION OF THE STATE OF  
FLORIDA, UNKNOWN TENANT #1, UNKNOWN  
TENANT #2,  
Defendant(s)

FILED FOR RECORD  
2017 SEP 15 AM 8:44  
CLERK OF THE CIRCUIT COURT  
MANATEE COUNTY FLORIDA

**CERTIFICATE OF TITLE**

The undersigned Clerk of the Court certifies that (s)he executed and filed a Certificate of Sale in this action on July 27, 2017, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections

The following property in Manatee County, Florida

LOT 14, CLEO VILLAS ADDITION, UNIT 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 10, PAGE 79 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA

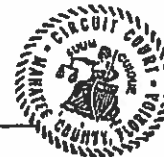
was sold to BANK OF AMERICA, N A  
c/o FRENKEL LAMBERT WEISS WEISMAN & GORDON, LLP  
ONE EAST BROWARD BLVD , SUITE 1430  
FT LAUDERDALE, FLORIDA 33301

WITNESS my hand and the seal of this Court on Sept 15, 2017

(SEAL)

CLERK OF CIRCUIT COURT  
ANGELINA COLONNESO

BY Yusa Howard  
Deputy Clerk



This document prepared by

FRENKEL LAMBERT WEISS WEISMAN & GORDON, LLP  
ONE EAST BROWARD BLVD , SUITE 1430  
FT LAUDERDALE, FLORIDA 33301

PO BOX 25406  
BRADENTON, FL 34206

04-080909-F00

**SERVICE LIST  
CASE # 2016CA003988AX**

**DEBORAH A GALLOPS  
N/K/A DEBORAH FOLDS  
4212 34TH AVENUE  
BRADENTON, FLORIDA 34208**

**GENE H FOLDS JR A/K/A  
GENE FOLDS, JR  
4212 34TH AVENUE  
BRADENTON, FLORIDA 34208**

**GEOFFREY K NICHOLS, ESQ  
ATTORNEY FOR MANATEE COUNTY,  
A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA  
1112 MANATEE AVENUE WEST, SUITE 969  
BRADENTON, FLORIDA 34205  
GEOFFREY NICHOLS@MYMANATEE.ORG  
DIANE HAJEK@MYMANATEE.ORG**

**UNKNOWN TENANT (S)  
5823 2ND STREET WEST  
BRADENTON, FLORIDA 34207**

04-080909-F00



IN THE CIRCUIT COURT OF THE 12TH  
JUDICIAL CIRCUIT, IN AND FOR  
MANATEE COUNTY, FLORIDA  
GENERAL JURISDICTION DIVISION  
CASE NO:

BANK OF AMERICA, N.A.,  
Plaintiff,

vs.

GENE H. FOLDS, JR A/K/A GENE FOLDS, JR;  
DEBORAH A. GALLOPS; MANATEE COUNTY, A  
POLITICAL SUBDIVISION OF THE STATE OF  
FLORIDA; UNKNOWN TENANT #1; UNKNOWN  
TENANT #2,,  
Defendant(s).

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**VERIFIED COMPLAINT TO FORECLOSE MORTGAGE**

Plaintiff, BANK OF AMERICA, N.A., sues the above named Defendant(s) and alleges:

**COUNT 1 -**

**MORTGAGE FORECLOSURE**

1. THIS IS AN ACTION to foreclose a Mortgage on real property located and situated in MANATEE County, Florida.
2. On or about January 25, 1996, GENE H. FOLDS, JR. A/K/A GENE FOLDS, JR., A SINGLE MAN AND DEBORAH A. GALLOPS, A SINGLE WOMAN, executed and delivered a Promissory Note and a Mortgage securing payment of the Note.
3. The Mortgage was recorded on January 30, 1996 in Official Records Book 1478 at Page 6689, of the Public Records of MANATEE County, Florida, and mortgaged the property described therein, then owned by and in possession of the Mortgagor(s). Copies of the Note and Mortgage are attached hereto and incorporated herein as Exhibit "A" and "B" respectively.
4. Plaintiff is the holder of the Note.
5. Frenkel Lambert Weiss Weisman & Gordon, LLP, as Counsel of Record for the Plaintiff, in accordance with Florida Statutes, §702.015(4), is in possession of the original Note. A copy of the Certification of Note Possession is attached hereto and incorporated herein as Exhibit "C".

04-080909-F00

6. The Plaintiff's Mortgage is a lien superior in dignity to any prior or subsequent right, title, claim, lien or interest of the Defendant(s) named herein or any person claiming by, through or under said Defendant(s) since the institution of this action.

7. Defendant(s), GENE H. FOLDS, JR. A/K/A GENE FOLDS, JR., A SINGLE MAN AND DEBORAH A. GALLOPS, A SINGLE WOMAN, AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP AND NOT AS TENANTS, own(s) the property.

8. There has been a default under the terms of the Note and Mortgage in that the October 1, 2011 payment due and all subsequent payments have not been made.

9. All conditions precedent to the acceleration of this Note and Mortgage and to the filing of this action have been fulfilled.

10. The Plaintiff declares the full amount payable under the Note and Mortgage to be due.

11. There is now due and owing to the Plaintiff as of the date of filing this action the unpaid principal balance of \$44,444.17, together with interest from September 1, 2011 and all sums that may be due for taxes, insurance, escrow advances, and expenses and costs of this action including but not limited to filing fees, recording fees, title search and examination fees, fees do for service of process and such other costs as may be allowed by the Court.

12. Plaintiff is obligated to pay its attorney a reasonable fee for their services and seeks an award of attorney's fees.

13. Defendant, MANATEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, may claim some interest in or lien upon the subject property by virtue of an Order Imposing Fine recorded in Official Records Book 2397 at Page 1954 of the Public Records of MANATEE County, Florida. Said interest, if any, is subject, subordinate, and inferior to the lien of Plaintiff's Mortgage.

14. Defendant(s), Unknown Tenant #1 and Unknown Tenant #2, may claim an interest or demand in the subject real property by virtue of possession, whether by tenancy from the record title holder or mere possession only, however, any such claim or demand is inferior to the lien of Plaintiff's Mortgage.

15. Defendant(s), GENE H. FOLDS, JR. A/K/A GENE FOLDS, JR. AND DEBORAH A. GALLOPS as maker(s) of the Note, may be held personally liable for a deficiency, if any, unless Defendant(s) has/have been discharged in bankruptcy in which event no deficiency is or will be sought.

**WHEREFORE**, Plaintiff prays as follows:

04-080909-F00

- a. That this Court will take jurisdiction of this cause, the subject matter and the parties hereto.
- b. That this Court ascertain and determine the sums of money due and payable to the Plaintiff from the Defendant(s), obligated under the Note including without limitation principal, interest, advances, attorney fees, and costs pursuant to the loan documents.
- c. That the sum of money found to be due as aforesaid be decreed by this Court to be a lien upon the lands described in Plaintiff's Mortgage.
- d. That such lien be foreclosed in accordance with the rules and established practice of this Court, and upon failure of the Defendant(s), obligated under the Note to pay the amount of money found to be due by them to the Plaintiff, the said land be sold to satisfy said lien.
- e. That this Court decree that the lien of the Plaintiff is superior to any and all right, title or interest of the Defendants herein or any person or parties claiming by, through or under them since the institution of this suit.
- f. That all right, title or interest of the Defendants or any person claiming by, through or under them be forever barred and foreclosed.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

g. That this Court grants general relief in this cause as in its discretion might be just and proper including, but not limited to, a deficiency judgment against the Defendant(s), obligated under the Note if the proceeds of the sale are insufficient to pay Plaintiff's claim. **HOWEVER, IN THE EVENT THAT THE DEFENDANT(S) HAS/HAVE FILED A PETITION FOR RELIEF IN THE UNITED STATES BANKRUPTCY COURT, OR HAS/HAVE RECEIVED A DISCHARGE FROM A UNITED STATES BANKRUPTCY COURT, PLAINTIFF DOES NOT SEEK A DEFICIENCY JUDGMENT OR OTHER CLAIM FOR PAYMENT OF MONEY OWED UNDER THE SUBJECT NOTE FROM SAID DEFENDANT(S) SHOULD THE PROCEEDS OF THE SALE BE INSUFFICIENT TO PAY PLAINTIFF'S CLAIM. SAID DEFENDANT(S) IS/ARE JOINED IN THIS COMPLAINT SOLELY TO FORECLOSE ANY INTEREST THE DEFENDANT(S) MAY HAVE IN THE REAL PROPERTY SECURED BY THE MORTGAGE ATTACHED TO THIS COMPLAINT.**

**FLA.R.CIV.P.1.110(b) VERIFICATION OF COMPLAINT**

Under penalties of perjury, I declare that I have read the foregoing, and the facts alleged therein are true and correct to the best of my knowledge and belief.

Date: August 29, 2016

By: Kenyetta Devon Maggitt  
Printed Name: Kenyetta Devon Maggitt  
Title: Assistant Vice President  
BANK OF AMERICA, N.A.

Pursuant to Fla. R. Jud. Admin. 2.516(b)(1)(A), Plaintiff's Counsel hereby designates its primary email address for the purposes of email service as: [fleservice@flwlaw.com](mailto:fleservice@flwlaw.com)\*

R. X. Celestin Esq.  
Rodney X. Celestin, Esq.  
FRENKEL LAMBERT WEISS WEISMAN & GORDON, LLP  
One East Broward Blvd., Suite 1430  
Fort Lauderdale, Florida 33301  
FL Bar #: 61109  
Tel: (954) 522-3233 | Fax: (954) 200-7770

04-080909-F00

**SERVICE LIST**

**Clerk Case Number: 2016CA003988AX**

**FRENKEL LAMBERT WEISS WEISMAN & GORDON, LLP**

Attorney for the Plaintiff

1 East Broward Blvd. Suite 1430

Fort Lauderdale, FL 33301

Telephone (954) 522-3233 | Fax: (954)200-7770

**DESIGNATED PRIMARY E-MAIL FOR SERVICE**

**PURSUANT TO FLA. R. JUD. ADMIN 2.516**

**flservice@flwlaw.com**

DEBORAH A. GALLOPS

N/K/A DEBORAH FOLDS

4212 34TH AVENUE

BRADENTON, FLORIDA 34208

GENE H. FOLDS JR A/K/A

GENE FOLDS, JR

4212 34TH AVENUE

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GEOFFREY K. NICHOLS, ESQ.

ATTORNEY FOR MANATEE COUNTY,

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1112 MANATEE AVENUE WEST, SUITE 969

BRADENTON, FLORIDA 34205

**GEOFFREY.NICHOLS@MYMANATEE.ORG**

**DIANE.HAJEK@MYMANATEE.ORG**

UNKNOWN TENANT (S)

5823 2ND STREET WEST

BRADENTON, FLORIDA 34207

**CE2011060188**  
**VIOLATION OF 703.2.23.1**



6/7/2011 11:59:19 AM  
CE# 2011060188  
5823 2ND ST. W.  
B.D.

**5823 2<sup>nd</sup> St. W., Bradenton**

**CE2011060188  
VIOLATION OF 703.2.23.1**



**5823 2<sup>nd</sup> St. W., Bradenton**

**CE2011060188**  
**VIOLATION OF 703.2.23.1**



**5823 2<sup>nd</sup> St. W., Bradenton**



Previous Instrument | Next Instrument

BK 2397 PG 1954 Dkt#2966658

R. B. "CHIPS" SHORE Clerk of Circuit Court Manatee County FL. Filed & Recorded 11/4/11 8:47:04 AM

(1 of 1)

MANATEE COUNTY CODE ENFORCEMENT SPECIAL MAGISTRATE  
MANATEE COUNTY, FLORIDA

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

Case No. CE2011060188

vs.  
DEBORAH A. AND GENE H. FOLDS, JR.,  
Respondents,

ORDER IMPOSING FINE

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on September 28, 2011, and the Special Magistrate having heard testimony under oath, received evidence, and heard arguments respective to all appropriate matters, and thereupon issues the Findings of Fact, Conclusions of Law, and Order as follows:

FINDINGS OF FACT

1. That Deborah A. and Gene H. Folds, Jr., hereinafter referred to as the Respondents are the owners of record of the subject property.
2. That notice was served on the Respondents and no one was present at the hearing.
3. That previous notifications of the violations of the Manatee County Land Development Code Section 703.2.23.1 were made and served on the Respondents by posting the property and the County Administrative Center.
4. That the property located at 5823 2nd Street West, Bradenton, Florida, DP 6032500008, had a violation of Section 703.2.23 of the Manatee County Land Development Code, which is now complied and has a violation of Section 703.2.23.1 of the Manatee County Land Development Code because trash and debris is on the property (rotten boat on trailer).
5. That the Respondents are in violation of Section 703.2.23.1 for having trash and debris on the property (rotten boat on trailer).

CONCLUSIONS OF LAW

1. That the Respondents are in violation of Manatee County Land Development Code Section 703.2.23.1.

ORDER

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

1. THAT the Respondents correct the violation of Manatee County Land Development Code Section 703.2.23.1.
2. THAT if this Order is not complied with on or before October 21, 2011, it is hereby ordered that Respondents shall pay a minimum fine of \$100, plus \$50 per day for each and every day any violation described herein continues past October 21, 2011.
3. Failure to Comply with this Order within the specified time will result in the recordation of this Order Imposing Fine, which constitutes a lien upon any real or personal property owned by the violators and may be foreclosed, and your property sold to enforce this lien. If such lien is filed, you will be assessed all costs incurred in recording and satisfying this lien.
4. The Code Enforcement Special Magistrate also authorizes the County Attorney or his/her designee to foreclose, collect or settle said lien using any legal or equitable remedies available to collect any liens which remain unpaid.
5. This Order becomes self-executing upon an Affidavit of Non-compliance being filed with the Clerk of Circuit Court Board Records Section, and a hearing shall not be necessary.
6. That pursuant to Section 305.57 of the Land Development Code, should a violation exist beyond the date set for compliance, the Special Magistrate shall impose a minimum fine of \$65.

Ordered September 28, 2011, and executed this 30<sup>th</sup> day of September, 2011.

ATTEST: R. B. Shore  
Clerk of Circuit Court



[Signature]  
Manatee County Code Enforcement  
Special Magistrate

By: [Signature]  
Deputy Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has been furnished to the Respondents, DEBORAH A. AND GENE H. FOLDS, JR., 5823 2ND STREET WEST, BRADENTON, FLORIDA 34207-4204, by U.S. mail and to the Manatee County Code Enforcement Division, this 30<sup>th</sup> day of September, 2011.

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



STATE OF FLORIDA COUNTY OF MANATEE  
This is to certify that the foregoing is a true and correct copy of the documents on file in my office. Witness my hand and official seal this 30<sup>th</sup> day of September, 2011.  
R.B. SHORE  
Clerk of Circuit Court  
By: [Signature] C.R.

By: [Signature]  
Deputy Clerk

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