

**MARTIN COUNTY, FLORIDA
CODE ENFORCEMENT MAGISTRATE**

CASE NO. 05-0011394

**MARTIN COUNTY, FLORIDA,
Petitioner,**

vs.

**JOHNSTON, JEANINE,
Respondent.**

PCN 16-38-41-010-000-00250-5

FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER


The Petitioner and the prospective owner Leisure Village, Inc. of Stuart, freely stipulate and agree to the following:

1. This Fine Reduction Stipulation and Agreed Recommended Order involves the property located within Leisure Village at 256 SE Trafalgar Terrace, Stuart, Martin County, Florida and further described in attached Exhibit A.
2. On June 17, 2009, the Code Enforcement Magistrate issued an Order Finding Violation to Respondent Jeanine Johnston for a violation of Section 105.1 Florida Building Code – Required as incorporated by Section 21.1, General Ordinances, Martin County Code. Compliance was required by July 20, 2009. On October 9, 2009, an Affidavit of Non-Compliance was issued. To date, compliance has not been achieved and the assessed costs of \$575.00 have not been paid.
3. The Respondent died on November 17, 2014. Pursuant to the February 17, 2017 Order of Summary Administration the homestead property of the Respondent was distributed to the decedent's daughter Yolanda Barfield.
4. Ms. Barfield is willing to convey the mobile home to Leisure Village, Inc. of Stuart (hereinafter Leisure Village) as well as terminate her rights, title and interest to the Proprietary Lease and the Stock Certificate. Leisure Village is amenable to the conveyance and to bringing the property into compliance in consideration for a fine reduction.
5. Staff has determined that consideration of a fine reduction is warranted based upon Leisure Village's agreement to pay the outstanding costs of \$575.00 within 30 days of the date of approval of the fine reduction by the Board of County Commissioners. In addition, Leisure Village has agreed to either remove the room addition and the windows replaced without permits, or in the alternative to apply for and receive the required permits for retaining the addition and the windows. The permits shall be applied for within ninety (90) days of the date of approval of the fine reduction by the Board of County Commissioners and all required work shall be completed and all required final inspections received by Sept 30, 2019. In its evaluation of this matter, staff has considered the \$14,550 assessed value of the property.
6. The parties represent, under penalty of perjury that that they have read this Stipulation; that they have full authority to enter into this Stipulation; that the facts contained herein are the

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truth, the whole truth and nothing but the truth; and that they are signing this agreement freely and voluntarily and are under no duress to execute it.

PETITIONER: MARTIN COUNTY, FLORIDA


By: John Colando
Code Compliance Administrator

DATE: 8-15-18

PROSPECTIVE OWNER:

Leisure Village, Inc. of Stuart

By: 

Printed Name: LANCE D. BAKER

Title: PRESIDENT

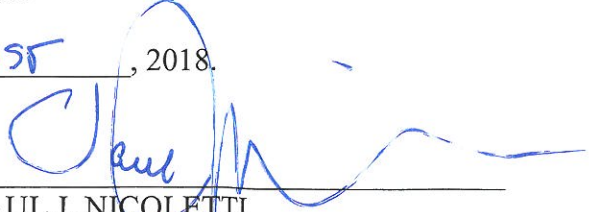
Date: 8/15/2018

AGREED RECOMMENDED ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES SET FORTH ABOVE, IT IS HEREBY RECOMMENDED TO THE BOARD OF COUNTY COMMISSIONERS, AS FOLLOWS:

Given Leisure Village, Inc. of Stuart's offer of payment in the total amount of \$575.00 and agreement to bring the property into compliance as set forth in Paragraph 5 above, a full reduction in the lien amount is warranted. In the event payment is not received and compliance is not achieved as required by Paragraph 5, the fine should revert to the accrued amount prior to the reduction.

DONE AND ORDERED this 15 day of AUGUST, 2018.


PAUL J. NICOLETTI
Magistrate