



AGENDA ITEM REQUEST FORM

Item No. 15a

Development Services

Department Submitting Request

Department Head's Signature

REG COMMISSION
Meeting Dates 7:00PM

DEADLINE TO
Town Clerk's Office

ROUNDTABLE
Meeting Dates 7:00PM

DEADLINE TO
Town Clerk's Office

- Oct 12, 2010
- Nov 9, 2010*
- Dec 14, 2010
- Jan 25, 2011
- Feb 8, 2011
- Mar 8, 2011

- Oct 1 (5:00 pm)
- Nov 12 (5:00 pm)
- Dec 3 (5:00 pm)
- Dec 31 (5:00 pm)
- Jan 28 (5:00 pm)
- Feb 25 (5:00 pm)

- Oct 26, 2010
- Nov 23, 2010*
- Dec 28, 2010*
- Jan 25, 2011
- Feb 22, 2011
- Mar 22, 2011

- Oct 15 (5:00 pm)
- Nov 12 (5:00 pm)
- Dec 17 (5:00 pm)
- Jan 14 (5:00 pm)
- Feb 11 (5:00 pm)
- Mar 11 (5:00 pm)

*Subject to Change

- Presentation
- Reports
- Consent
- Ordinance
- Resolution
- Quasi Judicial
- Old Business
- New Business

SUBJECT TITLE: 1960 E Terra Mar Dr, Mitigation of Recorded Liens.

EXPLANATION: The owner of this property (Premier Asset Service's % Deutsche Bank d/b/a Wells Fargo Home Mortgage) is seeking to settle code enforcement liens. The property was occupied but, was in foreclosure at the time the violations occurred. The violation for Exhibit 1 was issued on August 19, 2009 and corrected on December 7, 2010. The violation for Exhibit 2 was issued on March 17, 2010 and corrected on November 29, 2010. The Bank secured title to the property on October 26, 2010 and corrected all violations by December 7, 2010. The Request for Mitigation Application is attached. The requested relief must be approved by the Town Commission as it is outside the Town Manager's Authority. The table below provides a summary of both cases:

Exhibit	Case #	Violation	Lien Amount	Relief Request	Approx. % of Reduction	# of Days in Violation
1	09-KM-01648	No address numbers	\$38,250	\$5,500	14.3%	381
2	10-CT-00112	No trash service	\$16,600	\$2,250	13.5 %	165
Total			\$54,850	\$7,750	14 %	

Total cost to the Town = Approximately \$475 dollars (Staff time, Magistrate, Recordings, etc.)

RECOMMENDATION: The mitigation of recorded liens is a fairly new policy that was adopted. Prior to this item there was only one other case that was mitigated by the Commission. To determine a reasonable fine reduction the following would need to be considered:

A. The nature and gravity of the violation;

The gravity of the violations are not considered serious. Staff learned that while the residence was occupied the trash was being disposed of by the neighbor, therefore not constituting a health safety issue.

9/01/2010



AGENDA ITEM REQUEST FORM

Item No. _____

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B. Any actions taken by the Respondent to correct the violation;

When the Bank retained title by the courts on October 26, 2010 they quickly worked with staff to abate the violations and complied.

C. The length of time between the previously ordered compliance date and the date the violation was brought into compliance;

Exhibit 1 = 381

Exhibit 2 = 165

D. Any actual costs expended by the Respondent to cure the violation as provided by supporting documentation;

The Bank spent four hundred and twenty nine (\$429) dollars correcting the violations.

E. Any other prior or current violations committed by the Respondent on the subject property or upon any other property owned by the Respondent within the Town;

No

Staff recommends approval of the mitigation of the liens at the rate suggested by the owner. The Bank efficiently and within a reasonable amount of time worked with staff to abate the violations. Additionally, the violations did not pose a health or safety issue.

**EXHIBITS: Exhibit 1 – Respondents Application and Staffs history of involvement. (Case # 09-KM-01648)
Exhibit 2 – Respondents Application and Staffs history of involvement. (Case # 10-CT-00112)**

FISCAL IMPACT AND APPROPRIATION OF FUNDS:

Amount \$ _____ Acct # _____
 Transfer of funds required From Acct # _____

Town Attorney review required
 Yes No

Town Manager Initials CA

192

IN THE CIRCUIT COURT OF THE
17TH JUDICIAL CIRCUIT, IN AND FOR
BROWARD COUNTY, FLORIDA

CASE NO. 08-37326 (04) CACE

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR MORGAN
STANLEY MORTGAGE LOAN TRUST
2005-10,

Plaintiff,

v.

LISA WENDELL; et al.

Defendants

THIS IS NOT AN OFFICIAL COPY
NOTICE OF LIS PENDENS
To Defendant, MARK LEES, and all others whom it may concern:
CIRCUIT CLERK
7010 MAR 30 PM 1:56
CLERK OF CIRCUIT COURT
BROWARD COUNTY, FLORIDA

YOU ARE NOTIFIED OF THE FOLLOWING:

- (a) The Crossclaimant, LISA WENDELL, has instituted a Crossclaim against you seeking the partition of the property described below:
- (b) The Crossclaimant in this action is:
 - (1) LISA WENDELL
- (c) The date of the institution of this action is March 30, 2010.
OR the date on the Clerk's electronic receipt for the action's filing is _____
OR the case number of the action is as shown in the caption.
- (d) The property that is the subject matter of this action is in Broward County, Florida,

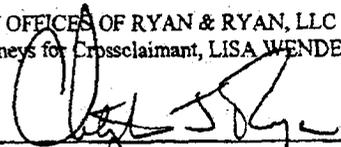
(2)

and is described as follows:

LOT 3, BLOCK 1, TERRA MAR ISLAND ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 12, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; SAID LAND SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

Dated this 30th day of March, 2010.

LAW OFFICES OF RYAN & RYAN, LLC
Attorneys for Crossclaimant, LISA WENDELL

By: 

CHRISTOPHER L. RYAN
Florida Bar No. 755923
700 E. Dania Beach Blvd., 3rd Floor
Dania Beach, Florida 33004
(954) 920-2921

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L:\Kin\Litigation\Wendell v. Lisa\Notice of LJ 100308.doc

Town of Lauderdale-By-The-Sea
4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308
Tel: (954) 776-0576
Fax: (954) 776-1857

APPLICATION REQUEST FOR RELIEF OF RECORDED LIEN/LIENS WITH BROWARD COUNTY

The Town Commission is authorized to provide relief from liens established by the Code Compliance Special Magistrate and that have been recorded with Broward County.

* No application will be accepted or processed unless all violations on the property have been placed in compliance by Code Enforcement

CASE # 10-CT-00112

TOWN OF LAUDERDALE-BY-THE-SEA vs.

Deutsche Bank

(Name of Respondent(s) as listed)

NAME OF APPLICANT: (Print):
(Person to attend Hearing)

Carl VANEYSSSEN

ADDRESS OF APPLICANT:

(Full mailing address)

3871 NE 24 AV

LIGHTHOUSE POINT, FL 33064

PHONE NUMBER:

954-253-4105

ADDRESS OF PROPERTY:

(Where violation(s) existed)

1960 E Terre Mar

NATURE OF VIOLATION:

Trash Violation

TOTAL AMOUNT OF FINE:

16,600⁰⁰

AMOUNT REQUESTING FINE BE REDUCED TO:

2250⁰⁰

THIS PROPERTY CURRENTLY IS OR IS NOT (check one) INVOLVED IN LITIGATION

The following information (If applicable) must be provided with the application:

1. A copy of the Notice of Lis Pendens recorded with Broward County Records with the date, book and page shown;
2. A copy of the Foreclosure Order, with the date, book and page shown;
3. A copy of the Certification of Lien Order, with the recording date, book and page shown;
4. A copy of Final Order;
5. A copy of the new Certificate of Title, with the recording date, book and page shown;
6. A copy of the Town's Order of Imposition of Fine;
7. A copy of the Claim of Lien with the recording date, book and page shown.

WHY RELIEF SHOULD BE GRANTED (This section must be completed):
ORCe, bank foreclosed on
property + became aware
to put trash service in their
name we did so on a monthly
service

(Attach additional pages if needed along with any supporting documentation)

NAME OF ATTORNEY: _____

IF APPLICABLE: Information to be completed by attending Attorney ONLY

ADDRESS OF ATTORNEY: _____

PHONE NUMBER: _____

I CERTIFY THAT I am the current owner of the subject property or an Attorney for said owner or, that I am the legal representative for the property or otherwise authorized to act on behalf of the property owner in this matter.



12/20/2010

Signature of Applicant/Attorney

Date

Carl Veneyssen

(NOTE: Proof of such lawful authority or written authorization from the property owner must be provided by the applicant prior to this matter proceeding to hearing before the Special Magistrate.)

223

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA
CIVIL ACTION
DEUTSCHE BANK NATIONAL TRUST COMPANY, AS
TRUSTEE FOR MORGAN STANLEY MORTGAGE
LOAN TRUST 2005-10,
Plaintiff,

vs. CASE NO. CACE-08-CA-037326
DIVISION 04

LISA WENDELL; MARK LEES; MONARCH LIFE INSURANCE
COMPANY, A FOREIGN CORPORATION - DISSOLVED
Defendant(s).

SPACE FOR RECORDING ONLY
7.5.109525

FILED FOR RECORDS
CLERK OF CIRCUIT COURT
BROWARD COUNTY, FLORIDA
10 AUG - 6 AM 9:11
CIVIL

FINAL SUMMARY JUDGMENT OF MORTGAGE FORECLOSURE

IT IS ADJUDGED THAT:

1. Plaintiff DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR
MORGAN STANLEY MORTGAGE LOAN TRUST 2005-10, 3476 Stateview Blvd., Fort MIN, SC 29715

is due:

UNPAID PRINCIPAL BALANCE	\$947,784.47
INTEREST ON THE NOTE AND MORTGAGE FROM 04/01/2008 TO 07/15/2010	130,249.30
PER DIEM INTEREST AT 4% FROM 07/15/2010 TO 08/04/2010	3,116.00
PRE-ACCELERATED LATE CHARGES THROUGH July 30, 2008	881.34
INSURANCE	10,829.48
BPO/APPRAISALS	285.00
PROPERTY PRESERVATION	295.00
TITLE SEARCH EXPENSES	175.00
TITLE EXAMINATION FEE	150.00
FILING FEE	381.00
INVESTIGATION/SERVICE OF PROCESS	712.60
DRAFT RESPONSE TO DEFENDANTS REQUEST FOR PRODUCTION	35.00
FINAL RESPONSE TO DEFENDANTS REQUEST FOR PRODUCTION	35.00
PREPARED RESPONSE TO REQUEST FOR PRODUCTION	175.00
ATTORNEY'S FEE	1,200.00
TOTAL	\$1,096,304.19

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FILE_NUMBER: F08064371

Serial: 14464689
DOC_ID: M002400



5

That shall bear interest at the rate of 6% a year.

2. Plaintiff holds a lien for the total sum-superior to all claims, or estates of Defendant(s) on the following-described property in BROWARD County, Florida:

LOT 3, BLOCK 1, OF TERRA MAR ISLAND ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 12, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

A/K/A 1960 TERRA MAR DRIVE EPOMPANO BEACH, FL 33062

3. 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 a public sale on 10-14- 2010, at 10:00AM, or as soon thereafter as the sale may proceed, to the

highest bidder for cash, except as prescribed in paragraph 5

WWW.BROWARDREALFORECLOSE.COM, THE CLERK'S WEBSITE FOR ON-LINE AUCTIONS

4. Plaintiff shall advance all subsequent costs of this 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 bid may be assigned without further Order of this Court and the Clerk shall credit the 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.

5. 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 Plaintiff's costs; second, documentary stamps affixed to the Certificate; third, Plaintiff's attorney's fees; fourth, the total sum due to 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 amount remaining pending the further Order of this Court.

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 Coast to Coast Legal Aid of South Florida, Inc. - (954)736-2400, Florida Immigrant Advocacy Center - Miami Office (305)573-1106, Aid Service of Broward County, Inc. - (954)765-8950, 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 Coast to Coast Legal Aid of South Florida, Inc. - (954)736-2400, Florida Immigrant Advocacy Center - Miami Office (305)573-1106, Aid Service of Broward County, Inc. - (954)765-8950, for assistance, you should do so as soon as possible after receipt of this notice.

8. The Court finds, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff, that a flatrate attorney fee of \$1,200.00 is appropriate. PLAINTIFF'S COUNSEL REPRESENTS THAT THE ATTORNEY FEE AWARDED DOES NOT EXCEED ITS CONTRACT FEE WITH THE PLAINTIFF. The Court finds that there are no reduction or enhancement factors for consideration by the Court pursuant to *Florida Patient's Compensation Fund v. Rowe*, 472 So.2d 1145 (Fla. 1985).

DONE AND ORDERED in Chambers, in BROWARD County, Florida, this 11th day of

August, 2010.

Robert H. Newman
Circuit Judge

Copies furnished to:

ROBERT H. NEWMAN

Service List

LISA WENDELL
DOLORES K. SANCHEZ
4701 N. Federal Highway SUITE 316
LIGHTHOUSE POINT FL 33064

MARK LEES
c/o VINCENT E. SCHINDELER, Esq.
633 SE 3RD AVE
STE 4-R
FORT LAUDERDALE, FL 33301-3151

MONARCH LIFE INSURANCE COMPANY, A FOREIGN CORPORATION - DISSOLVED
c/o Temple Fert Kearns, Esq.
SHUTTS & BOWEN, LLP
200 East Broward Blvd
National City Center
Suite 210
Fort Lauderdale, FL 33301

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HRP 4

**In the Circuit Court of the Seventeenth Judicial Circuit
in and for Broward County, Florida**

MORGAN STANLEY MORTGAGE LOAN
Plaintiff

CACE-08-037326
Division: 04

VS.
MONARCH LIFE INSURANCE COMPAN ; WENDELL, LISA ; LEES,
MARK
Defendant

Certificate of Title

The undersigned, Howard C. Forman, Clerk of the Court, certifies that he executed and filed a certificate of sale in this action on October 14, 2010, 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 Broward County, Florida:

LOT 3, BLOCK 1, OF TERRA MAR ISLAND ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 12, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

A/K/A 1960 TERRA MAR DRIVE EPOMPANO BEACH, FL 33062

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Was sold to: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY MORTGAGE LOAN TRUST 2005-10
3478 Stateview Blvd Fort Mill, SC, 29715

Witness my hand and the seal of this court on October 26, 2010.



Howard C. Forman, Clerk of Circuit Courts
Broward County, Florida

Total consideration: \$630,300.00
Doc Stamps: \$4,412.10

4

TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
4501 N. OCEAN DRIVE
Lauderdale-By-The-Sea, Florida 33308

BEFORE THE SPECIAL MAGISTRATE
ORDER IMPOSING FINE/CERTIFICATE OF LIEN

TOWN OF LAUDERDALE-BY-THE-SEA,

Petitioner

v.

Case No. 10-CT-00112

Lisa Wendell & Mark Lees
P. O. Box 1102
Pompano Beach, FL 33061-1102

Respondent(s)

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OFFICIAL COPY

The above referenced case was heard on May 18, 2010 and the Respondent did appear at the hearing. A Notice of Violation was issued on March 17, 2010 with a correction date of March 20, 2010. Compliance was not gained on March 20, 2010. The Special Magistrate ordered that the Respondent be given thirty (30) days from the hearing date to bring the property into compliance or a daily fine of One Hundred (\$100.00) Dollars would be assessed plus an Administrative Fee of One Hundred (\$100.00) Dollars was imposed.

The property located at 1960 E. Terra Mar Drive, Lauderdale-By-The-Sea, Florida, corresponding to Folio # 9306-20-00030, legally described as:
TERRA MAR ISLAND ESTATES 29-12 B LOT 3 BLK 1

Has not been brought into compliance and a daily fine of One Hundred (\$100.00) Dollars began to accrue on June 17, 2010 and continues to accrue until compliance is gained. The Final Order was mailed via Certified Mail on May 24, 2010. On August 17, 2010 Notice of Certification of Lien Intent was sent via certified mail for the hearing date September 15, 2010. Respondent was not present at the hearing.

Therefore, pursuant to Section 162.09, Florida Statutes, the Special Magistrate certifies as follows:

1. The Order of May 18, 2010 required the Respondent to bring the property into compliance thirty days (30) days from the hearing date or be assessed a daily fine of One Hundred (\$100.00) Dollars. In addition, an Administrative Fee of One Hundred (\$100.00) Dollars was imposed.

(4)

Certification of Lien - Case # 10-CT-00112 - 1960 E Terra Mar Drive - Respondent Wendell/Lees

2. The Respondent has not brought the violation into compliance, and the Respondent has continued to violate the order of May 18, 2010 by not paying the Administrative Fee of One Hundred (\$100.00) Dollars and the daily fine of One Hundred (\$100.00) Dollars that continues to accrue for the period of non-compliance. At the September 15, 2010 Certification of Lien Hearing, testimony indicates that the fines due and owing for the period of non-compliance have reached Nine Thousand One Hundred (\$9,100.00) Dollars plus an Administrative Fee of One Hundred (\$100.00) Dollars.

3. Therefore, Special Magistrate imposes and certifies fines for the daily fine of One Hundred (\$100.00) Dollars that continues to accrue for the period of non-compliance plus an Administrative Fee of One Hundred (\$100.00) Dollars.

4. That this Certification, together with the original Final Order, be recorded in the Public Records of the Office of the Clerk of the Circuit Court in and for Broward County, Florida. Pursuant to Section 162.09, Florida Statutes, these documents, once recorded, shall constitute a lien against the land on which the violation(s) exists, and upon any other real or personal property owned by Respondent.

5. If any person desires to appeal, pursuant to Section 162.11, Florida Statutes, such person will need a record of the proceedings which includes the testimony and evidence upon which the appeal is based.

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Certification of Lien ordered at Lauderdale-By-The-Sea this 15th day of September, 2010.

ATTEST:

BY: Colleen Tyrrell
Colleen Tyrrell, Secretary for the Special Magistrate

Special Magistrate of the
Town of Lauderdale-By-The-Sea
BY: Gordon B. Linn
Gordon B. Linn, Special Magistrate

() Personally known to me

Copies furnished to:

American Servicing Company
Randy Jones
3476 Stateview blvd.
Fort Mill, SC 29715

FILE
SEP 22 2010
BY: [Signature]

TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
CODE COMPLIANCE SPECIAL MAGISTRATE

CASE NUMBER: 10-CT-00112

TOWN OF LAUDERDALE BY THE SEA,
MUNICIPAL CORPORATION OF FLORIDA

PETITIONER

VS.

LISA WENDELL & MARK LEES
P. O. BOX 1102
Pompano Beach, FL 33061-1102

RESPONDENT

FINAL ORDER

HEARING DATE May 18, 2010

VIOLATION(S): Suspension of trash service for nonpayment. Must maintain trash service with Choice Waste. CODE SECTION: 10-27

An Administrative hearing was held before the Special Magistrate on May 18, 2010. Set below are the findings of fact, conclusions of law and final order for the subject hearing.

FINDINGS OF FACT

The record indicates that the Respondent(s) owns certain real property located at: 1900 E. Terra Mar Drive, Lauderdale-By-The-Sea, FL 33062 and more particularly described as follows:

Tax Folio Number (Property I.D.): 9306-20-0030

At the hearing held on this matter on May 18, 2010 the Petitioner Town presented testimony by Code Compliance Officer Kimberly Williams concerning her personal knowledge of the existence of the subject violation(s), and entered into the record evidence of notice required under Chapter 162 Florida Statutes. Officer Williams said that the property was in foreclosure and that co-owner Lisa Wendell has a civil suit against Mr. Lee. Officer Williams said that the property still was not in compliance. Respondent Lisa Wendell was present at the hearing to testify and explained that since Mr. Lee has possession of the property, she was not able to take any steps to bring the property into compliance.

CONCLUSIONS OF LAW

Accordingly, based on the testimony and evidence referenced above, the Petitioner Town has met its burden of providing by substantial competent evidence that alleged violation(s) does in fact exist on the subject property but was not in compliance at or prior to the subject hearing.

ORDER

THEREFORE, BASED UPON THE ABOVE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UNDERSIGNED SPECIAL MAGISTRATE FINDS THE RESPONDENT(S) GUILTY OF VIOLATING: CODE SECTION 10-27.

LISA WENDELL & MARK LEES
CASE NUMBER: 10-CT-00112

IN DETERMINING THE FINE AMOUNT TO BE IMPOSED, CONSIDERATION WAS GIVEN TO: (1) THE GRAVITY OF THE VIOLATION(S), (2) ANY ACTIONS TAKEN BY THE RESPONDENT(S) TO CORRECT THE VIOLATION(S); AND (3) ANY PREVIOUS VIOLATION(S) COMMITTED BY THE RESPONDENT(S).

FINALLY, THE PETITIONER, TOWN, VERIFIED THAT THE VIOLATION WAS NOT IN COMPLIANCE AT THE TIME OF THE HEARING.

THE SPECIAL MAGISTRATE ORDERS THAT THE RESPONDENT BE GIVEN THIRTY (30) DAYS FROM THE HEARING DATE TO BRING THE PROPERTY INTO COMPLIANCE. FAILURE TO ABATE THE VIOLATION WITHIN THE THIRTY (30) DAY TIMEFRAME, A ONE HUNDRED (\$100.00) DOLLAR FINE PER DAY WOULD BE ASSESSED UNTIL COMPLIANCE IS GAINED. THE SPECIAL MAGISTRATE ALSO IMPOSED A ONE HUNDRED (\$100.00) DOLLAR ADMINISTRATIVE FEE.

THE TOWN MAY AVAIL ITSELF OF ALL LEGAL REMEDIES AVAILABLE TO IT, INCLUDING THE FORECLOSURE OF THE LIEN.

Done and Ordered this 18TH day of May, 2010 Lauderdale By The Sea, Florida.

THIS IS NOT AN OFFICIAL COPY

Gordon B. Linn, Special Magistrate

ATTEST:

Colleen Tyrrell, Secretary for the Special Magistrate

Cc to: N/A

Note: Please make your check payable to:

Town of Lauderdale-By-The-Sea

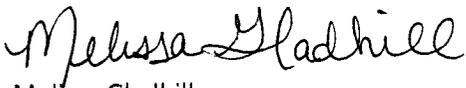
Please send your check to:

4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308

To whom it may concern,

Carl Van Eyssen with Keller Williams Realty has entered into a contract with Premiere Asset Service as the listing agent for the following property located at: 1960 East Terra Mar Drive, Lauderdale by the Sea, FL 33062. Carl has been given the authority to enter into negotiations to mitigate the fines with the City of Lauderdale by the Sea. If you have any questions please call 240-586-7741. Carl Van Eyssen can be reached at 954-253-4105.

Sincerely,


Melissa Gladhill,

Premiere Asset Services

Care of Deutsche Bank

LAUDERDALE-BY-THE-SEA
RECEIVED
JAN 11 2011
DEVELOPMENT
SERVICES

INDIVIDUAL ACKNOWLEDGMENT

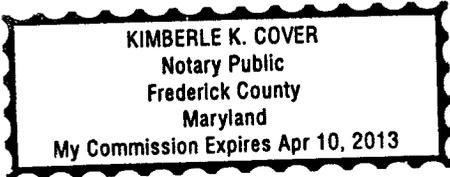
State/Commonwealth of MARYLAND }
County of FREDERICK } ss.

On this the 7TH day of JANUARY, 2011, before me,
KIMBERLE K. COVER, the undersigned Notary Public,
Name of Notary Public
personally appeared MELISSA GLADHILL,
Name(s) of Signer(s)

personally known to me – OR –

proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same for the purposes therein stated.



WITNESS my hand and official seal.

[Signature]
Signature of Notary Public
KIMBERLE K. COVER, FREDERICK, MD
Other Required Information (Printed Name of Notary, Residence, etc.)

Place Notary Seal and/or Stamp Above

OPTIONAL

Although the information in this section is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Any Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Right Thumbprint of Signer
Top of thumb here



Site Address	1960 E TERRA MAR DRIVE , LAUDERDALE BY THE SEA	ID #	4943 06 20 0030
Property Owner	DEUTSCHE BANK NATL TR CO TRSTE MORGAN STANLEY MTGE LOAN TR	Millage	0211
Mailing Address	3476 STATEVIEW BLVD FORT MILL SC 29715	Use	01

Legal Description	TERRA MAR ISLAND ESTATES 29-12 B LOT 3 BLK 1
-------------------	--

Property Assessment Values					
Click here to see 2010 Exemptions and Taxable Values reflected on Nov. 1, 2010 tax bill.					
Year	Land	Building	Just Value	Assessed / SOH Value	Tax
2011	\$192,580	\$724,290	\$916,870	\$916,870	
2010	\$192,580	\$724,290	\$916,870	\$916,870	\$18,716.87
2009	\$197,000	\$867,000	\$1,064,000	\$1,064,000	\$20,285.08

2011 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$916,870	\$916,870	\$916,870	\$916,870
Portability	0	0	0	0
Assessed/SOH	\$916,870	\$916,870	\$916,870	\$916,870
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$916,870	\$916,870	\$916,870	\$916,870

Sales History				
Date	Type	Price	Book	Page
10/14/2010	CET-D	\$630,300	47518	1022
2/26/2008	QCD-T	\$100	45142	1749
5/6/2004	QCD	\$160,000	37452	614
5/5/2004	QCD		37452	609
6/3/1999	WD	\$755,000	29530	1402

Land Calculations		
Price	Factor	Type
\$20.00	9,629	SF
Adj. Bldg. S.F. (See Sketch)		4934
Beds/Baths		5/4

Special Assessments					
Fire	Garbage	Light	Drainage	Improvement	Safe
02			LB		
R			LB		
1			1		

INTEROFFICE MEMORANDUM

TO: JEFF BOWMAN, DEVELOPMENT SERVICES DIRECTOR
FROM: KIMBERLY WILLIAMS, CODE COMPLIANCE OFFICER
SUBJECT: CASE AND CONTACT HISTORY FOR VIOLATION CASE 10-CT-00112
DATE: 12/30/2010

<u>Date of contact</u>	<u>Type of Contact</u>
03/10/2010	Courtesy notice posted at property
03/17/2010	Notice of violation posted at property
03/24/2010	Notice of violation sent certified mail to owners
04/05/2010	Called and left messages both owners
04/15/2010	Spoke to both owners and advised of May code hearing. They are letting the bank foreclose
04/26/2010	Spoke to bank and advised of May code hearing
05/04/2010	Notice of hearing sent certified mail to owner
05/18/2010	Code hearing held. Final order imposed: 30 days or a \$100.00 per day fine plus \$100.00 admin fee
05/24/2010	Final Order sent certified to owner
06/02/2010	Verified service remains suspended and friends staying in residence
06/17/2010	Compliance not gained. Called owners to advise fine began
07/12/2010	Spoke to Lisa and advised of Certification of Lien hearing
08/15/2010	Scheduled Certification of Lien hearing, called to advise bank
08/17/2010	Notice of Certification of lien hearing sent certified mail to owner and bank
09/15/2010	Certification of lien held and approved
09/22/2010	Certification of lien order sent certified mail to owner and bank

10/13/2010	Lien recorded
11/29/2010	Spoke to realtor Carl Vaneysen, listing agent for bank. Trash service resumed and case complied. Fine stopped but was out of compliance for 165 days at \$100.00 per day plus a \$100.00 administration fee. Total owed \$16,600.00
12/20/2010	Mitigation request submitted

Town of Lauderdale-By-The-Sea
4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308
Tel: (954) 776-0576
Fax: (954) 776-1857

APPLICATION REQUEST FOR RELIEF OF RECORDED LIEN/LIENS WITH BROWARD COUNTY

The Town Commission is authorized to provide relief from liens established by the Code Compliance Special Magistrate and that have been recorded with Broward County.

- * No application will be accepted or processed unless all violations on the property have been placed in compliance by Code Enforcement

CASE # 09-KM-0164B

TOWN OF LAUDERDALE-BY-THE-SEA vs. Deutsche Bank
(Name of Respondent(s) as listed)

NAME OF APPLICANT: (Print): Carl VAN EYSSSEN
(Person to attend Hearing)

ADDRESS OF APPLICANT: 3871 W 24 AV
(Full mailing address) LIGHT HOUSE POINT FL 33064

PHONE NUMBER: 954-253-4105

ADDRESS OF PROPERTY: 1960 E Terra Mar
(Where violation(s) existed)

NATURE OF VIOLATION: HOUSE NUMBERS NOT

TOTAL AMOUNT OF FINE: 38,250 Fast track

AMOUNT REQUESTING FINE BE REDUCED TO: 5500⁰⁰

THIS PROPERTY CURRENTLY IS OR IS NOT (check one) INVOLVED IN LITIGATION

The following information (If applicable) must be provided with the application:

1. A copy of the Notice of Lis Pendens recorded with Broward County Records with the date, book and page shown;
2. A copy of the Foreclosure Order, with the date, book and page shown;
3. A copy of the Certification of Lien Order, with the recording date, book and page shown;
4. A copy of Final Order;
5. A copy of the new Certificate of Title, with the recording date, book and page shown;
6. A copy of the Town's Order of Imposition of Fine;
7. A copy of the Claim of Lien with the recording date, book and page shown.

WHY RELIEF SHOULD BE GRANTED (This section must be completed): _____

Prior owner did not have

House numbers installed

Bank upon foreclosure had house numbers

installed

(Attach additional pages if needed along with any supporting documentation)

NAME OF ATTORNEY: _____

IF APPLICABLE: Information to be completed by attending Attorney ONLY

ADDRESS OF ATTORNEY: _____

PHONE NUMBER: _____

I CERTIFY THAT I am the current owner of the subject property or an Attorney for said owner or, that I am the legal representative for the property or otherwise authorized to act on behalf of the property owner in this matter.

Signature of Applicant/Attorney
Carl Veysin

Date
12/20/2010

(NOTE: Proof of such lawful authority or written authorization from the property owner must be provided by the applicant prior to this matter proceeding to hearing before the Special Magistrate.)

192

IN THE CIRCUIT COURT OF THE
17TH JUDICIAL CIRCUIT, IN AND FOR
BROWARD COUNTY, FLORIDA

CASE NO. 08-37326 (04) CACE

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR MORGAN
STANLEY MORTGAGE LOAN TRUST
2005-10,

Plaintiff,

v.

LISA WENDELL; et al.

Defendants.

THIS IS NOT AN OFFICIAL COPY
NOTICE OF LISA WENDELL
To Defendant, MARK LEES, and all others whom it may concern:
2010 MAR 30 PM 1:56
CIRCUIT CLERK
CLERK OF CIRCUIT COURT
BROWARD COUNTY, FLORIDA

YOU ARE NOTIFIED OF THE FOLLOWING:

- (a) The Crossclaimant, LISA WENDELL, has instituted a Crossclaim against you seeking the partition of the property described below:
 - (b) The Crossclaimant in this action is:
 - (1) LISA WENDELL
 - (c) The date of the institution of this action is March 30, 2010.
OR the date on the Clerk's electronic receipt for the action's filing is _____
OR the case number of the action is as shown in the caption.
- (d) The property that is the subject matter of this action is in Broward County, Florida,

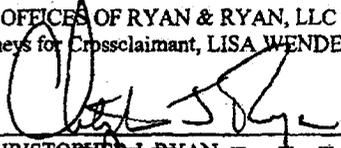
(2)

and is described as follows:

LOT 3, BLOCK 1, TERRA MAR ISLAND ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 12, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; SAID LAND SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

Dated this 30th day of March, 2010.

LAW OFFICES OF RYAN & RYAN, LLC
Attorneys for Crossclaimant, LISA WENDELL

By: 

CHRISTOPHER J. RYAN
Florida Bar No. 755923
700 E. Dania Beach Blvd., 3rd Floor
Dania Beach, Florida 33004
(954) 920-2921

L:\Kiel\Litigation\Wendell 7 Case\04032010\LA 10030101.rtf

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22
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IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA
CIVIL ACTION

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS
TRUSTEE FOR MORGAN STANLEY MORTGAGE
LOAN TRUST 2005-10,
Plaintiff,

vs. CASE NO. CACE-08-CA-037326
DIVISION 04

LISA WENDELL; MARK LEES; MONARCH LIFE INSURANCE
COMPANY, A FOREIGN CORPORATION - DISSOLVED
Defendant(s).

SPACE FOR RECORDING ONLY
F.S. 689.26

10 AUG - 4 PM 9:41
FILED FOR RECORDS
CLERK OF CIRCUIT COURT
BROWARD COUNTY, FLORIDA

FINAL SUMMARY JUDGMENT OF MORTGAGE FORECLOSURE

IT IS ADJUDGED THAT:

1. Plaintiff DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR
MORGAN STANLEY MORTGAGE LOAN TRUST 2005-10, 3476 Stateview Blvd., Fort Mill, SC 29715

is due:

UNPAID PRINCIPAL BALANCE	\$947,784.47
INTEREST ON THE NOTE AND MORTGAGE FROM 04/01/2008 TO 07/15/2010	130,249.30
PER DIEM INTEREST AT 4% FROM 07/15/2010 TO 08/04/2010	3,116.00
PRE-ACCELERATED LATE CHARGES THROUGH July 30, 2008	881.34
INSURANCE	10,829.48
BPO/APPRAISALS	285.00
PROPERTY PRESERVATION	295.00
TITLE SEARCH EXPENSES	175.00
TITLE EXAMINATION FEE	150.00
FILING FEE	381.00
INVESTIGATION/SERVICE OF PROCESS	712.60
DRAFT RESPONSE TO DEFENDANTS REQUEST FOR PRODUCTION	35.00
FINAL RESPONSE TO DEFENDANTS REQUEST FOR PRODUCTION	35.00
PREPARED RESPONSE TO REQUEST FOR PRODUCTION	175.00
ATTORNEY'S FEE	1,200.00
TOTAL	\$1,096,304.19

FILE_NUMBER: F08064371

Serial: 14464689
DOC_ID: M002400



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5

That shall bear interest at the rate of 6% a year.

2. Plaintiff holds a lien for the total sum-superior to all claims, or estates of Defendant(s) on the following-described property in BROWARD County, Florida:

LOT 3, BLOCK 1, OF TERRA MAR ISLAND ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 12, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

A/K/A 1960 TERRA MAR DRIVE EPOMPANO BEACH, FL 33062

3. 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 a public sale on 10-14-, 2010, at 10:00AM, or as soon thereafter as the sale may proceed, to the highest bidder for cash, except as prescribed in paragraph 5

WWW.BROWARDREALFORBCLOSE.COM, THE CLERK'S WEBSITE FOR ON-LINE AUCTIONS

4. Plaintiff shall advance all subsequent costs of this 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 bid may be assigned without further Order of this Court and the Clerk shall credit the 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.

5. 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 Plaintiff's costs; second, documentary stamps affixed to the Certificate; third, Plaintiff's attorney's fees; fourth, the total sum due to 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 amount remaining pending the further Order of this Court.

6. 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. If any defendant remains in possession of the property, the clerk shall without further order of the court issue forthwith a writ of possession upon request of the person named on the certificate of title.

7. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment, if Plaintiff is not limited to in rem stay relief in an active bankruptcy case and/or if borrower(s) has not been discharged in bankruptcy or constructively served, together with additional attorney's fees, if appropriate.

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 THE FINAL JUDGMENT. IF YOU ARE SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN 60 DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

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 your 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, BROWARD County, 201 S.E. Sixth St Rm 230, Window 10, Fort Lauderdale, FL 33301, Phone: 954-831-5792, 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. 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 Coast to Coast Legal Aid of South Florida, Inc. - (954)736-2400, Florida Immigrant Advocacy Center - Miami Office (305)573-1106, Aid Service of Broward County, Inc. - (954)765-8950, 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 Coast to Coast Legal Aid of South Florida, Inc. - (954)736-2400, Florida Immigrant Advocacy Center - Miami Office (305)573-1106, Aid Service of Broward County, Inc. - (954)765-8950, for assistance, you should do so as soon as possible after receipt of this notice.

8. The Court finds, based upon the affidavits presented and upon inquiry of counsel for the Plaintiff, that a flat-rate attorney fee of \$1,200.00 is appropriate. PLAINTIFF'S COUNSEL REPRESENTS THAT THE ATTORNEY FEE AWARDED DOES NOT EXCEED ITS CONTRACT FEE WITH THE PLAINTIFF. The Court finds that there are no reduction or enhancement factors for consideration by the Court pursuant to *Florida Patient's Compensation Fund v. Rowe*, 472 So.2d 1145 (Fla. 1985).

DONE AND ORDERED in Chambers, in BROWARD County, Florida, this 4th day of

August, 2010.

Robert H. Newman
Circuit Judge

Copies furnished to:

ROBERT H. NEWMAN

Service List

LISA WENDELL
DOLORES K. SANCHEZ
4701 N. Federal Highway SUITE 316
LIGHTHOUSE POINT FL 33064

MARK LEES
c/o VINCENT E. SCHINDELER, Esq.
633 SE 3RD AVE
STE 4-R
FORT LAUDERDALE, FL 33301-3151

MONARCH LIFE INSURANCE COMPANY, A FOREIGN CORPORATION - DISSOLVED
c/o Temple Fet Keams, Esq.
SHUTTS & BOWEN, LLP
200 East Broward Blvd
National City Center
Suite 210
Fort Lauderdale, FL 33301

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HR 8 4

In the Circuit Court of the Seventeenth Judicial Circuit
In and for Broward County, Florida

MORGAN STANLEY MORTGAGE LOAN
Plaintiff

CACE-08-037326
Division: 04

VS.
MONARCH LIFE INSURANCE COMPAN ; WENDELL, LISA ; LEES,
MARK
Defendant

Certificate of Title

The undersigned, Howard C. Forman, Clerk of the Court, certifies that he executed and filed a certificate of sale in this action on October 14, 2010, 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 Broward County, Florida:

LOT 3, BLOCK 1, OF TERRA MAR ISLAND ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, PAGE 12, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

A/K/A 1960 TERRA MAR DRIVE EPOMPANO BEACH, FL 33062

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Was sold to: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY MORTGAGE LOAN TRUST 2005-10
3476 Stateview Blvd Fort Mill, SC, 29715

Witness my hand and the seal of this court on October 26, 2010.



Howard C. Forman, Clerk of Circuit Courts
Broward County, Florida

Total consideration: \$630,300.00
Doc Stamps: \$4,412.10

**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
CODE COMPLIANCE SPECIAL MAGISTRATE**

CASE NUMBER: 09-KM-01648

TOWN OF LAUDERDALE BY THE SEA,
MUNICIPAL CORPORATION OF FLORIDA

PETITIONER

VS.

**Lisa Wendell & Mark Lees
1960 E. Terra Mar Drive
Lauderdale-By-The-Sea, FL 33062-6834**

RESPONDENT

FINAL ORDER

HEARING DATE: **October 21, 2009**

VIOLATION(S): **Post street address on building so it is visible from the street. CODE SECTION: 6 - 6 a**

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An Administrative hearing was held before the Special Magistrate on October 21, 2009. Set below are the findings of fact, conclusions of law and final order for the subject hearing.

FINDINGS OF FACT

The record indicates that the Respondent(s) owns certain real property located at:
1960 E. Terra Mar Drive, Lauderdale-By-The-Sea, FL 33062 and more particularly described as follows:

Tax Folio Number (Property I.D.): **9306-20-00630**

At the hearing held on this matter on October 21, 2009 the Petitioner Town presented testimony by Code Compliance Officer Kimberly Williams concerning her personal knowledge of the existence of the subject violation(s), and entered into the record evidence of notice required under Chapter 162 Florida Statutes. Officer Williams cited the property on August 19, 2009 with a compliance date of August 28, 2009. Officer Williams presented photos that were taken on August 20, 2009 that accurately depicts the condition of the property. Officer Williams said that she spoke to the property owner several times but compliance has not been gained. The Respondent was not present at the hearing.

CONCLUSIONS OF LAW

Accordingly, based on the testimony and evidence referenced above, the Petitioner Town has met its burden of providing by substantial competent evidence that alleged violation(s) does in fact exist on the subject property but was not in compliance at or prior to the subject hearing.

ORDER

THEREFORE, BASED UPON THE ABOVE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UNDERSIGNED SPECIAL MAGISTRATE FINDS THE RESPONDENT(S) GUILTY OF VIOLATING: CODE SECTION 6 - 6 a.

Respondent: Lisa Wendell & Mark Lees
CASE NUMBER: 09-KM-01648

Page 2.

IN DETERMINING THE FINE AMOUNT TO BE IMPOSED, CONSIDERATION WAS GIVEN TO: (1) THE GRAVITY OF THE VIOLATION(S), (2) ANY ACTIONS TAKEN BY THE RESPONDENT(S) TO CORRECT THE VIOLATION(S); AND (3) ANY PREVIOUS VIOLATION(S) COMMITTED BY THE RESPONDENT(S).

FINALLY, THE PETITIONER, TOWN, VERIFIED THAT THE VIOLATION WAS NOT IN COMPLIANCE AT THE TIME OF THE HEARING.

THE SPECIAL MAGISTRATE ORDERS THAT THE RESPONDENT BE GIVEN THIRTY (30) DAYS FROM THE HEARING DATE TO BRING THE VIOLATION INTO COMPLIANCE. FAILURE TO BRING THE PROPERTY INTO COMPLIANCE WITHIN THE SPECIFIED TIMEFRAME, A ONE HUNDRED (\$100.00) DOLLAR FINE PER DAY WOULD COMMENCE. THE SPECIAL MAGISTRATE ALSO IMPOSED A ONE HUNDRED FIFTY (\$150.00) DOLLAR ADMINISTRATIVE FEE.

THE TOWN MAY AVAIL ITSELF OF ALL LEGAL REMEDIES AVAILABLE TO IT, INCLUDING THE FORECLOSURE OF THE LIEN.

Done and Ordered this 21ST day of October, 2009, Lauderdale By The Sea, Florida.

THIS IS NOT AN OFFICIAL COPY
Gordon B. Linn
Gordon B. Linn, Special Magistrate

ATTEST:

Colleen Tyrrell
Colleen Tyrrell, Secretary for the Special Magistrate

Cc to: N/A

Note: Please make your check payable to:

Town of Lauderdale-By-The-Sea

Please send your check to:

4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308

FILE
OCT 28 2009
BY: *[Signature]*

7

**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
4501 N. OCEAN DRIVE
Lauderdale-By-The-Sea, Florida 33308**

**BEFORE THE SPECIAL MAGISTRATE
ORDER IMPOSING FINE/CERTIFICATE OF LIEN**

TOWN OF LAUDERDALE-BY-THE-SEA,

Petitioner

v.

Case No. 09-KM-01648

**Lisa Wendell & Mark Lees
1960 E. Terra Mar Drive
Lauderdale-By-The-Sea, FL 33062-6834**

Respondents:
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The above referenced case was heard on October 21, 2009 and Respondent did not appear at the hearing. A Notice of Violation was issued on August 19, 2009 with a correction date of August 26, 2009. Compliance was not gained on August 26, 2009. The Special Magistrate ordered that the Respondent be given thirty (30) days from the hearing date to bring the property into compliance or a daily fine of One Hundred (\$100.00) Dollars would be assessed.

The property located at 1969 E. Terra Mar Drive, Lauderdale-By-The-Sea, Florida, corresponding to Folio # 9306-20-0030, legally described as:
TERRA MAR ISLAND ESTATES 29-12 B LOT 3 BLK 1

Has not been brought into compliance and a daily fine of One Hundred (\$100.00) Dollars began to accrue on November 21, 2009 and continues to accrue until compliance is gained. The Final Order was mailed via Certified Mail on October 28, 2009 and a signed return receipt was received. On March 3, 2010 Notice of Certification of Lien Intent was sent via certified mail for the hearing date March 17, 2010. Respondent was not present.

Therefore, pursuant to Section 162.09, Florida Statutes, the Special Magistrate certifies as follows:

1. The Order of October 21, 2009 required the Respondent to bring the property into compliance thirty (30) days from the hearing date or be assessed a daily fine of One Hundred (\$100.00) Dollars.
2. The Respondent has not brought the violation into compliance and the daily fine of One Hundred (\$100.00) Dollars continues to accrue as of November 21, 2009. Therefore, Special Magistrate imposes and certifies fines for the daily fine of One Hundred (\$100.00) Dollars that continues to accrue until compliance is gained.

④

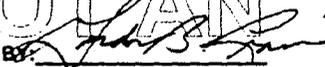
3. That this Certification, together with the original Final Order, be recorded in the Public Records of the Office of the Clerk of the Circuit Court in and for Broward County, Florida. Pursuant to Section 162.09, Florida Statutes, these documents, once recorded, shall constitute a lien against the land on which the violation(s) exists, and upon any other real or personal property owned by Respondent.

4. If any person desires to appeal, pursuant to Section 162.11, Florida Statutes, such person will need a record of the proceedings which includes the testimony and evidence upon which the appeal is based.

Certification of Lien ordered at Lauderdale-By-The-Sea this 17th day of March, 2010.

ATTEST:

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BY:  Colleen Tyrrell, Secretary for the Special Magistrate	Special Magistrate of the Town of Lauderdale-By-The-Sea BY:  Gordon B. Linn, Special Magistrate <input type="checkbox"/> Personally known to me
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OFFICIAL COPY

Copies furnished to:

Lisa Wendell & Mark Lees
1960 E. Terra Mar Drive
Lauderdale-By-The-Sea, FL 33062-6834

Florida Default Law Group, P.I.
Anne M Cruz-Alvarex
P. O. Box 25018
Tampa, FL 33622-5018

FILE
MAR 19 2010
BY: 

To whom it may concern,

Carl Van Eyssen with Keller Williams Realty has entered into a contract with Premiere Asset Service as the listing agent for the following property located at: 1960 East Terra Mar Drive, Lauderdale by the Sea, FL 33062. Carl has been given the authority to enter into negotiations to mitigate the fines with the City of Lauderdale by the Sea. If you have any questions please call 240-586-7741. Carl Van Eyssen can be reached at 954-253-4105.

Sincerely,


Melissa Gladhill,

Premiere Asset Services

Care of Deutsche Bank

LAUDERDALE-BY-THE-SEA
RECEIVED
JAN 11 2011
DEVELOPMENT
SERVICES

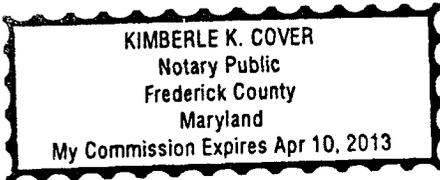
INDIVIDUAL ACKNOWLEDGMENT

State/Commonwealth of MARYLAND
County of FREDERICK } ss.

On this the 2TH day of JANUARY, 2011, before me,
KIMBERLE K. COVER, the undersigned Notary Public,
Name of Notary Public
personally appeared MELISSA GLADHILL
Name(s) of Signer(s)

- personally known to me – OR –
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same for the purposes therein stated.



WITNESS my hand and official seal.

[Signature]
Signature of Notary Public
KIMBERLE K. COVER, FREDERICK, MD
Other Required Information (Printed Name of Notary, Residence, etc.)

Place Notary Seal and/or Stamp Above

OPTIONAL

Although the information in this section is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Any Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Right Thumbprint of Signer
Top of thumb here



Site Address	1960 E TERRA MAR DRIVE , LAUDERDALE BY THE SEA	ID #	4943 06 20 0030
Property Owner	DEUTSCHE BANK NATL TR CO TRSTE MORGAN STANLEY MTGE LOAN TR	Millage	0211
Mailing Address	3476 STATEVIEW BLVD FORT MILL SC 29715	Use	01

Legal Description	TERRA MAR ISLAND ESTATES 29-12 B LOT 3 BLK 1
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Property Assessment Values
 Click here to see 2010 Exemptions and Taxable Values reflected on Nov. 1, 2010 tax bill.

Year	Land	Building	Just Value	Assessed / SOH Value	Tax
2011	\$192,580	\$724,290	\$916,870	\$916,870	
2010	\$192,580	\$724,290	\$916,870	\$916,870	\$18,716.87
2009	\$197,000	\$867,000	\$1,064,000	\$1,064,000	\$20,285.08

2011 Exemptions and Taxable Values by Taxing Authority

	County	County Parcel	Assessed Value	Taxable Value
Just Value		\$916,870	\$916,870	\$916,870
Portability		0	0	0
Homestead		0	0	0
Add. Homestead		0	0	0
Wild/Vet/Life		0	0	0
Water		0	0	0
Exempt Type		0	0	0
Taxable		\$916,870	\$916,870	\$916,870

Sales History					Land Calculations		
Date	Type	Price	Area	Page	Area	Price	Type
10/14/2009	QCD	\$600,000	67559	1022	67559	6820	SR
02/07/05	QCD	5100	18132	6140			
5/8/2004	QCD	\$100,000	37452	814			
5/5/2004	QCD		37452	609			
6/3/1999	WD	\$735,000	29539	1402			
					Any. Prop. (100% Exempt)		4004
							54

Special Assessments					
Year	Assessment	Area	Volume	Assessment	Notes
02				18	
R				19	

INTEROFFICE MEMORANDUM

TO: JEFF BOWMAN, DEVELOPMENT SERVICES DIRECTOR
FROM: KIMBERLY WILLIAMS, CODE COMPLIANCE OFFICER
SUBJECT: CASE AND CONTACT HISTORY FOR VIOLATION CASE 09-KM-01648
DATE: 12/30/2010

<u>Date of contact</u>	<u>Type of Contact</u>
08/19/2009	Notice of violation issued to property owner
08/26/2009	Spoke to owner and advised violation remains
09/04/2009	Spoke to owner and advised of October code hearing
10/01/2009	Notice of hearing sent certified mail to owner
10/21/2009	Code hearing held. Final order imposed: 30 days or a \$100.00 per day fine plus \$150.00 admin fee
10/28/2009	Final Order sent certified to owner
11/21/2009	Spoke to owner and advised violation remained and fine began
11/30/2009	Called owner to advise fine was running
12/18/2009	Spoke to owner and advised of fine accruing
01/03/2010	Left message for owner advising of Certification of Lien hearing
01/04/2010	Director left message for owner advising of hearing
01/11/2010	Spoke to and advised owner and bank attorney of violation and accruing fine
01/26/2010	Left message for bank attorney advising of violation and fine
02/03/2010	Left message for bank advising of violation and fine
02/07/2010	Spoke to bank and advised of violation and fine
02/08/2010	Faxed violation and fine information to bank
03/03/2010	Notice of Certification of lien hearing sent certified mail to owner

03/17/2010 Certification of lien held and approved

03/19/2010 Certification of lien order sent certified mail to owner and regular mail bank

04/07/2010 Scanned violation and fine information and emailed to bank

05/05/2010 Lien recorded

11/29/2010 Spoke to realtor Carl Vaneysen, listing agent for bank. And advised of violation and fine.

12/07/2010 Numbers placed on building. Case complied and fine stopped. Realtor advised fine ran out of compliance for 381 days at \$100.00 per day plus an administration fee of \$150.00. Total fine of \$38,250.00 is owed.

12/20/2010 Mitigation request submitted