



# LEGAL REQUEST MEMORANDUM (LRM)

From: (Name) Hough Robin (Dept) Code Enforcement - 3440  
 Last First  
 (Title) Code Enforcement Manager (Phone) 352-671-8916  
 Signature Robin Hough Digitally signed by Robin Hough Date: 2024.10.18 13:58:10 -04'00' Date Friday, October 11, 2024

The Office of the County Attorney is requested to provide legal assistance as detailed in this legal request and supporting documents (attached).

Request for:  New Document  Review & Comment  RESUBMIT LRM No. \_\_\_\_\_  
 Approve as to Form  Other

### Description of Request

This is a request for foreclosure action to be taken against the Code Enforcement liens recorded against Jack Summerville Est, property located at 10110 SE 169th Ln, Summerfield, 34491. Please review the attached draft policy outlining the criteria to make such requests, and the supporting documentation for the Summerville liens, then advise whether you agree and the process to move forward.

For more information or discussion, contact:  Same as above  
 (Name) \_\_\_\_\_ (Title) \_\_\_\_\_ (Phone) \_\_\_\_\_  
 Last First

Agenda Item?  Yes  No Agenda Date: TBD  
 Agenda Deadline Date for Legal: \_\_\_\_\_ Agenda Deadline Date for Admin: \_\_\_\_\_

**Note: Please allow a MINIMUM of 5 working days BEFORE deadlines for LRM to be completed.**

### DO NOT COMPLETE - Office of the County Attorney use ONLY

LRM No. 2024-925  
 Assigned to:  Matthew Guy Minter, County Attorney  Dana E. Olesky, Chief Asst. County Attorney  Thomas Schwartz, Asst. County Attorney  Valdoston Shealey, Asst. County Attorney

Outcome:  Approved as to form and legal sufficiency  
 Approved with revisions:  Suggested  Completed  
 Other:

Date Received:  
**RECEIVED**  
 By Lori.Zirkle at 4:17 pm, Oct 18, 2024

*See attached Memorandum of Law and recommendation re next steps*

Attorney Signature: Thomas Schwartz Date 10/22/24  
 Staff Signature: [Signature] Date: 10/22/24 Returned:  Department  Admin

## MEMORANDUM

TO: Robin Hough, Code Enforcement Manager

FROM: Tom Schwartz

DATE: October 22, 2024

SUBJECT: Code Enforcement Liens re Jack Summerville Estate / PID# 4716-001-035

You have requested legal guidance re the disposition of various Code Enforcement Liens recorded against the Jack Summerville Estate property, located at 10110 SE 169th Ln, Summerfield, 34491.

### Factual Background:

Per your LRM, there are numerous Code Enforcement Liens recorded against the referenced property. They date back to 2018, and currently total \$13,480.10, per the attached detailed summary. At present, there is a large quantity of trash and debris accumulated on the property – as depicted on the attached photos.

The subject property is posted with no trespassing sign(s). There are unidentified occupants on the property that are unwilling to communicate with code officers when approaching the property. Notices of Intent to Abate have been posted at the property in addition to mailings sent, and the problem worsens on a daily basis. An attempt to notice Neil Elder, grandson of deceased Jack Summerville, who is currently incarcerated at the County jail, via regular U.S. mail, was returned.

Neighbors of the property complain of the garbage, drug activity and public urination taking place there. They also report that Sheriff deputies frequent the property as well.

### Legal Considerations:

Marion County Code Chapter 16, Art. III, Sec. 16-92 provides that *"It shall be unlawful for the owner of any land in the county to permit or cause thereon an accumulation of junk within three hundred (300) feet of any boundary of such land."* Inasmuch as the owner of the property is deceased, it would be futile to take another case to the Code Enforcement Board for additional fines, and while another abatement would clear the junk and unserviceable vehicle violation, there is no incentive for the squatter occupants to maintain the property in compliance. Abating the junk from this property a second time is not going to stop the violation from recurring since the liens have no impact on the transient residents.

### CONCLUSION:

I share Staff's assessment that until the County has control of the subject property or a third party purchases it through a foreclosure sale, the property will continue to attract a negative element and deteriorate the property values of the surrounding parcels and the communities.

Accordingly, in conformance with Growth Services, Code Enforcement Foreclosure of liens policy, I recommend the matter be placed on the BOCC's agenda for review of the matter and approval of the property's foreclosure sale to remedy the situation.

JACK SUMMERVILLE EST % SHERRY ELDER-DUNCAN  
10110 SE 169TH LN, SUMMERFIELD  
PID # 4716-001-035

Jack Summerville Death Certificate 02/2011  
Daughter Sherry Elder-Duncan reportedly deceased also  
Grandson Neil Elder incarcerated in Marion County Jail

Liens against owner/property:

Case # 767105

CEB lien recorded 11/02/2018	file # 2018108648	\$3,000	daily fine accrual
	Administrative costs	\$ 150.22	

Case # 789622

CEB lien recorded 05/14/2019	file # 2019048691	\$ 500	repeat fine
CEB lien recorded 08/21/2019	file # 2019087857	\$6,000	daily fine accrual
	Administrative costs	\$ 179.40	

Case # 802423

Junk abatement lien recorded 08/19/2022			
	file # 2022122016	\$3,197.73	Contractor & admin
	Interest	\$ 452.75	thru 10/11/2024

Total liens, costs and interest affiliated with the enforcement of county codes as they pertain to accumulations of junk, unserviceable vehicles are thirteen thousand four hundred eighty dollars and ten cents (\$13,480.10).

Currently there is an enormous amount of trash and debris accumulated on the property. The property is posted with no trespassing sign(s). The occupants are unidentified and unwilling to communicate with code officers that approach the property. Notices of Intent to Abate have been posted at the property in addition to mailings sent, and the problem gets worse on a daily basis. An attempt to notice Neil Elder at the County jail via regular U.S. mail was returned.

Neighbors complain about the garbage, drug activity, public urination taking place on the property. They also report that Sheriff deputies frequent the property as well.

Marion County Code Chapter 16, Art. III, Sec. 16-92 tells us, *It shall be unlawful for the owner of any land in the county to permit or cause thereon an accumulation of junk within three hundred (300) feet of any boundary of such land.* Since the owner is deceased it would be senseless to take another case to the CEB for additional fines and while another abatement would clear the junk and unserviceable vehicle violation, there is no incentive for the squatter occupants to keep the property in compliance. Abating the junk from this property a second time is not going to stop the violation from recurring since the liens have no impact on the transient residents.

It is my belief that until the County has control of the property or a third party purchases the property through a foreclosure sale opportunity, this property will continue to attract a negative element and deteriorate the property values of the surrounding parcels and the communities.



**Policy Area:** Growth Services Code Enforcement

**Title of Policy:** Foreclosure of liens

**Effective Date:** TBD

**Approved Date:** TBD

**Revision Date:**

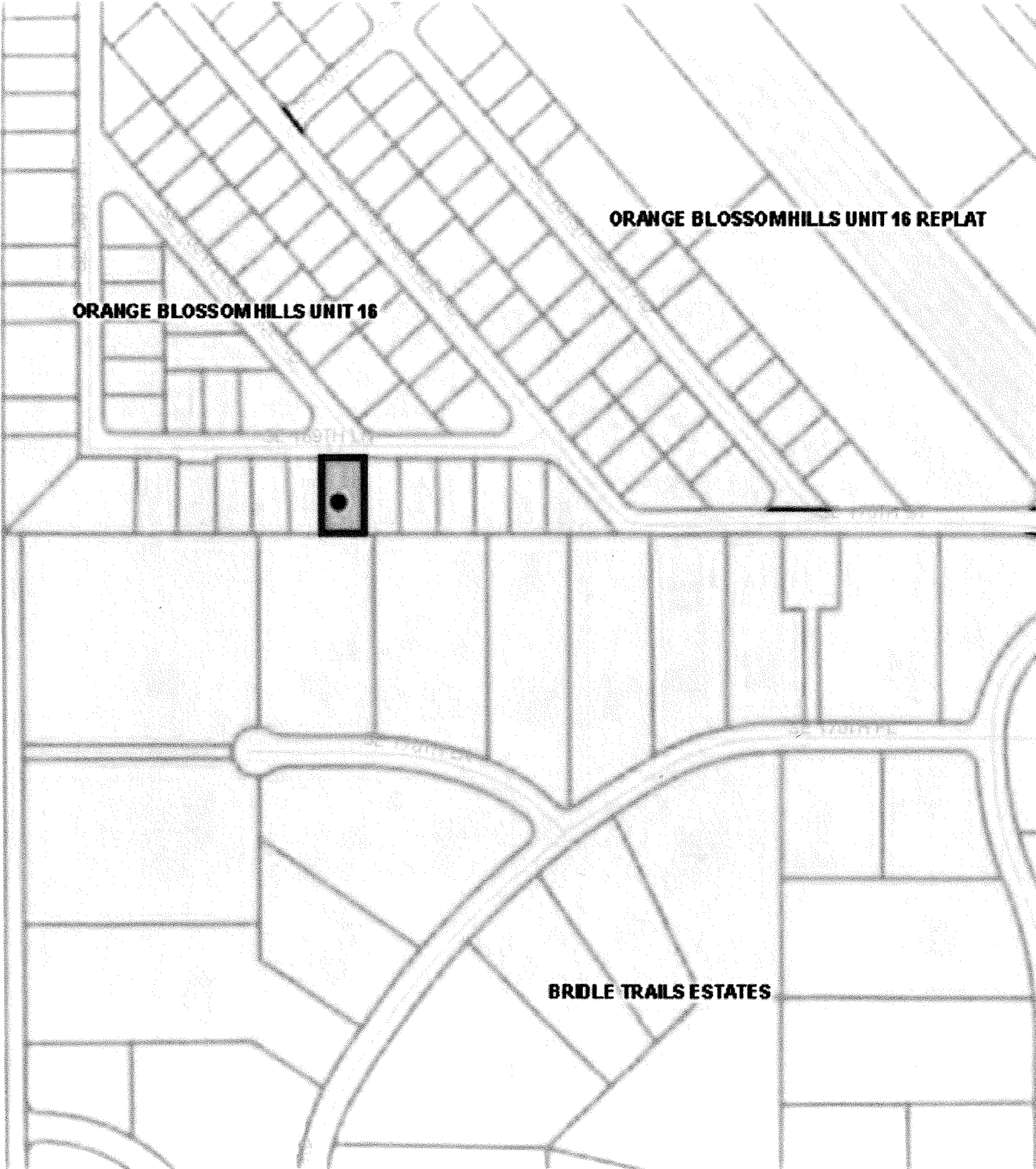
**Revised By:**

**1. Rationale or background to policy:** Foreclosing on Marion County Code Enforcement liens would ideally result in the County gaining control over the property through ownership or having a third-party owner to bring the property into compliance.

**2. Policy Statement:** When Marion County has liens against a property, and when the property owner of record is deceased, and there is no expressed intent to probate the estate, and when the property is occupied by individuals that are perpetuating code violations, the County may seek relief through foreclosure action.

**3. Procedures:**

1. Criteria to initiate a request for foreclosure action:
  - a. There must be recorded liens from previous code enforcement board cases and or abatement.
  - b. The owner of the property is deceased, or in the case of ownership by a dissolved entity, the registered agent and or member(s) have not responded to notices of violation.
  - c. The property is occupied by individuals perpetuating violations of the County's codes and ordinances.
2. Draft a Legal Request Memorandum [LRM] outlining the cases and liens on record, the violation(s) still present on the property, and why foreclosure is believed to be the most effective course of action.
3. Submit LRM for review by the Code Enforcement Manager and the Growth Services Director, respectively, for approval.
4. LRM is submitted to the County Attorney for review and comment. If approved, an agenda item will be submitted for a future Board of County Commissioners meeting.



**ORANGE BLOSSOMHILLS UNIT 16**

**ORANGE BLOSSOMHILLS UNIT 16 REPLAT**

**BRIDLE TRAILS ESTATES**

MARION COUNTY



SHERIFF'S OFFICE

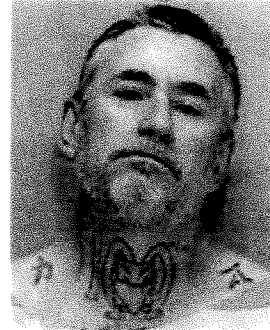
Printed On: 10/11/2024 8:53 AM

**Inmate Id #** A0093594 **Booking #** 2400000119 **Booking Date** 01/05/2024 16:06 **Release Date**

**Last Name** ELDER **First Name** NEIL **Middle Name** LAWRENCE **Suffix**

**City** ST **Zip Code**

**Age** 52 **Race** W **Sex** M **Height** 509 **Weight** 210 **Hair** BRO **Eyes** HAZ



[Return to Search Page](#)

**Charge Information**

<b>Charge #</b>	11	<b>Violation Code</b>	741.29-6	<b>Violation Description</b>	CONDIT RELEASE VIOLATION-PRE TRIAL RELEASE COND VIOL FOR DOMEST VIOL	<b>Violation Level</b>	M
<b>Violation Description 2</b>	I/C- CONDIT RELEASE VIOLATION-PRE TRIAL RELEASE COND VIOL FOR DOMEST VIOL						
<b>Agency Case #</b>	MCSO24OFF003264	<b>End Of Sentence Date</b>	8/9/2024 12:00:00 AM				
<b>Bond Amount</b>	\$0.00	<b>Cleared Type</b>		<b>Next Court Date</b>			
<b>Charge #</b>	10	<b>Violation Code</b>	741.29-6	<b>Violation Description</b>	CONDIT RELEASE VIOLATION-PRE TRIAL RELEASE COND VIOL FOR DOMEST VIOL	<b>Violation Level</b>	M
<b>Violation Description 2</b>	I/C- CONDIT RELEASE VIOLATION-PRE TRIAL RELEASE COND VIOL FOR DOMEST VIOL						
<b>Agency Case #</b>	MCSO24OFF001657	<b>End Of Sentence Date</b>	7/21/2024 12:00:00 AM				
<b>Bond Amount</b>	\$0.00	<b>Cleared Type</b>		<b>Next Court Date</b>			
<b>Charge #</b>	9	<b>Violation Code</b>	741.29-6	<b>Violation Description</b>	CONDIT RELEASE VIOLATION-PRE TRIAL RELEASE COND VIOL FOR DOMEST VIOL	<b>Violation Level</b>	M
<b>Violation Description 2</b>	I/C VIOLATION OF PRETRIAL RELEASE CONDITIONS FOR DOMESTIC VIOLENCE						
<b>Agency Case #</b>	MCSO24OFF001248	<b>End Of Sentence Date</b>	7/15/2024 12:00:00 AM				
<b>Bond Amount</b>	\$0.00	<b>Cleared Type</b>		<b>Next Court Date</b>			
<b>Charge #</b>	12	<b>Violation Code</b>	741.29-6	<b>Violation Description</b>	CONDIT RELEASE VIOLATION-PRE TRIAL RELEASE COND VIOL FOR DOMEST VIOL	<b>Violation Level</b>	M
<b>Violation Description 2</b>	I/C- CONDIT RELEASE VIOLATION-PRE TRIAL RELEASE COND VIOL FOR DOMEST VIOL						
<b>Agency Case #</b>	MCSO24OFF005501	<b>End Of Sentence Date</b>	9/6/2024 12:00:00 AM				
<b>Bond Amount</b>	\$0.00	<b>Cleared Type</b>		<b>Next Court Date</b>			
<b>Charge #</b>	1	<b>Violation Code</b>	316.1935-3A	<b>Violation Description</b>	FLEE/ELUDE POLICE-FLEE W DISREGARD OF SAFETY TO PERSONS OR PROP	<b>Violation Level</b>	F
<b>Violation Description 2</b>	FLEE/ELUDE POLICE-FLEE W DISREGARD OF SAFETY TO PERSONS OR PROP						
<b>Agency Case #</b>	MCSO24OFF000326	<b>End Of Sentence Date</b>					
<b>Bond Amount</b>	\$0.00	<b>Cleared Type</b>		<b>Next Court Date</b>	12/10/2024 8:30:00 AM		
<b>Charge #</b>	2	<b>Violation Code</b>	316.1935-3A	<b>Violation Description</b>	FLEE/ELUDE POLICE-FLEE W DISREGARD OF SAFETY TO PERSONS OR PROP	<b>Violation Level</b>	F
<b>Violation Description 2</b>	FLEE/ELUDE POLICE-FLEE W DISREGARD OF SAFETY TO PERSONS OR PROP						

Agency Case #		MCSO24OFF000326		End Of Sentence Date			
Bond Amount	\$0.00	Cleared Type		Next Court Date	12/10/2024 8:30:00 AM		
Charge #	3	Violation Code	316.1935-3A	Violation Description	FLEE/ELUDE POLICE-FLEE W DISREGARD OF SAFETY TO PERSONS OR PROP	Violation Level	F
Violation Description 2		FLEE/ELUDE POLICE-FLEE W DISREGARD OF SAFETY TO PERSONS OR PROP					
Agency Case #		MCSO24OFF000326		End Of Sentence Date			
Bond Amount	\$0.00	Cleared Type		Next Court Date	12/10/2024 8:30:00 AM		
Charge #	4	Violation Code	316.192-1A	Violation Description	MOVING TRAFFIC VIOL-RECKLESS DRIVING 1ST OFF	Violation Level	M
Violation Description 2		MOVING TRAFFIC VIOL-RECKLESS DRIVING 1ST OFF					
Agency Case #		MCSO24OFF000326		End Of Sentence Date			
Bond Amount	\$0.00	Cleared Type		Next Court Date	12/10/2024 8:30:00 AM		
Charge #	5	Violation Code	320.02-1	Violation Description	NONMOVING TRAFFIC VIOL-FAIL TO REGISTER MOTOR VEH	Violation Level	M
Violation Description 2		NONMOVING TRAFFIC VIOL-FAIL TO REGISTER MOTOR VEH					
Agency Case #		MCSO24OFF000326		End Of Sentence Date			
Bond Amount	\$0.00	Cleared Type		Next Court Date	12/10/2024 8:30:00 AM		
Charge #	6	Violation Code	322.34-5	Violation Description	DRIVE WHILE LIC SUSP HABITUAL OFFENDER	Violation Level	F
Violation Description 2		DRIVE WHILE LIC SUSP HABITUAL OFFENDER					
Agency Case #		MCSO24OFF000326		End Of Sentence Date			
Bond Amount	\$0.00	Cleared Type		Next Court Date	12/10/2024 8:30:00 AM		
Charge #	7	Violation Code	787.02-1A	Violation Description	KIDNAP-FALSE IMPRISONMENT-ADULT	Violation Level	F
Violation Description 2		KIDNAP-FALSE IMPRISONMENT-ADULT					
Agency Case #		MCSO24OFF000326		End Of Sentence Date			
Bond Amount	\$0.00	Cleared Type		Next Court Date	12/10/2024 8:30:00 AM		
Charge #	8	Violation Code	893.135-1C4A	Violation Description	TRAFFICKING IN FENTANYL 4 GRAMS OR MORE	Violation Level	F
Violation Description 2		DRUGS- TRAFFICKING IN FENTANYL 4 GRAMS OR MORE					
Agency Case #		MCSO24OFF000326		End Of Sentence Date			
Bond Amount	\$0.00	Cleared Type		Next Court Date	12/10/2024 8:30:00 AM		

[Return to Search Page](#)

# CD-PLUS REPORT - Code Case Images

REF KEY 956685

IMAGE DATE 8/15/2024

IMAGE DESCRIPTION

10110 SE 169TH LN  
PHOTO TAKEN BY DG



REF KEY 956685

IMAGE DATE 8/15/2024

IMAGE DESCRIPTION

10110 SE 169TH LN  
PHOTO TAKEN BY DG





Prepared by:  
Marion County Code Enforcement Division  
2710 E. Silver Springs Blvd  
Ocala, Florida 34471

**FINAL ADMINISTRATIVE ORDER OF  
THE MARION COUNTY CODE ENFORCEMENT BOARD**



DAVID R ELLSPERMANN CLERK & COMPTROLLER MARION CO  
DATE: 11/02/2018 02:05:42 PM  
FILE #: 2018108648 OR BK 6862 PG 131  
REC FEES: \$10.00 INDEX FEES: \$0.00  
DDS: \$0 MDS: \$0 INT: \$0

This cause having come before the Code Enforcement Board of Marion County, Florida on **September 12, 2018**, on the petition of Marion County for an Order imposing a fine in Case Number **767105-GF** and the Board having considered the Affidavit of Continuing Violation filed therein, it is hereby found and ordered that:

1. The violation(s) of Marion County Code, Chapter 16, Article III, Section 16-92; Accumulation of junk; unserviceable vehicles and Marion County Code, Chapter 16, Article III, Section 16-91; Litter, on real property located at **10110 SE 169TH LN, SUMMERFIELD, Parcel No. 4716-001-035**, Marion County, Florida, was (were) not brought into compliance on or before **August 30, 2018**, as required by the previous Order of this Board dated **August 10, 2018**.
2. In accord with the previous Order of this Board which is incorporated herein by reference, there is hereby imposed upon **JACK SUMMERVILLE ESTATE**, a fine in the amount of **fifty dollars (\$50.00) per day, beginning August 31, 2018**, for each day the violation(s) continue(s) past the date set for compliance, which shall continue to accrue daily unless and until the violation(s) is (are) cleared or until extinguished by law. The fine has reached its maximum amount and the amount of the Code Enforcement lien is **three thousand dollars (\$3,000.00)**. The collection agency fee and administrative costs will also be added to the total payoff amount and the lien will be reported to credit bureaus.
3. The violator(s) shall notify the Code Inspector in writing immediately when the violation(s) has (have) been brought into compliance. **IT IS THE RESPONSIBILITY OF THE RESPONDENT(S) TO NOTIFY CODE ENFORCEMENT AT (352) 671-8900, ON OR BEFORE THE COMPLIANCE DATE TO DEMONSTRATE TO MARION COUNTY'S SATISFACTION THAT THE VIOLATION(S) HAVE BEEN CORRECTED.**
4. The violator(s) has (have) the right to file a petition for writ of certiorari to the Circuit Court to appeal the decision of the Board. An appeal must be filed with the Circuit Court within thirty (30) days of the date of this Order. Section 162.11, Florida Statutes, provides as follows:  
  
*162.11 Appeals - An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within 30 days of the execution of the order to be appealed.*
5. Failure to comply with this Order within the specific times set forth above will result in the recordation of this Order in the Public Records. This order shall be a lien against any non-homestead real property or personal property now owned by the violator, and any non-homestead real property or personal property which violator may own in the future, until the satisfaction of this order. Such lien may be foreclosed and the property sold to enforce such lien. If such lien is filed, you will be assessed all cost incurred in recording and satisfying this lien.

The holder of this order and the lien hereunder is the Marion County Board of County Commissioners, with the address of 601 SE 25th Avenue, Ocala, FL 34471.

DONE AND ORDERED by the Code Enforcement Board of Marion County, Florida, this **14<sup>th</sup>** day of **September, 2018**.

**MARION COUNTY  
CODE ENFORCEMENT BOARD**

By: *F. Joe Krim*  
F. Joe Krim, Jr., Chairperson

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Order has been furnished to **JACK SUMMERVILLE EST, C/O SHERRY ELDER-DUNCAN, 10110 SE 169TH LN, SUMMERFIELD, FL 34491** by U.S. mail this **14<sup>th</sup>** day of **September, 2018**.

*Grace M. Nelson*  
Board Secretary

I HEREBY CERTIFY THAT THE  
FOREGOING DOCUMENT IS A  
TRUE AND CORRECT COPY OF  
THE ORIGINAL

*Patricia Jensen*  
CLERK  
MARION COUNTY CODE ENFORCEMENT





DAVID R ELLSPERMANN CLERK & COMPTROLLER MARION CO  
DATE: 08/21/2019 09:29:11 AM  
FILE #: 2019087857 OR BK 7026 PG 1447  
REC FEES: \$10.00 INDEX FEES: \$0.00  
DDS: \$0 MDS: \$0 INT: \$0

**FINAL ADMINISTRATIVE ORDER OF  
THE MARION COUNTY CODE ENFORCEMENT BOARD  
AMENDED**

This cause having come before the Code Enforcement Board of Marion County, Florida on June 12, 2019, on the petition of Marion County for an Order imposing a fine in Case Number 789662-GF and the Board having considered the Affidavit of Continuing Violation filed therein, it is hereby found and ordered that:

1. The violation(s) of Marlon County Code, Chapter 16, Article III, Section 16-92; Accumulation of junk; unserviceable vehicles, and Marion County Code, Chapter 2, Article V, Sections 2-205(c) and 2-207(a); Repeat violation, on real property located at 10110 SE 169TH LN, SUMMERFIELD, Parcel No. 4716-001-035, Marion County, Florida, was (were) not brought into compliance on or before May 30, 2019, as required by the previous Order of this Board dated May 10, 2019.
2. In accord with the previous Order of this Board which is incorporated herein by reference, there is hereby imposed upon JACK SUMMERVILLE ESTATE, to pay a fine of five hundred dollars (\$500.00) for repeating said violation(s) and a fine in the amount of one hundred dollars (\$100.00) per day, beginning May 31, 2019, for each day the violation(s) continue(s) past the date set for compliance, which shall continue to accrue daily unless and until the violation(s) is (are) cleared or until extinguished by law. The fine has reached its maximum amount and the amount of the Code Enforcement lien is six thousand dollars (\$6,000.00). The collection agency fee and administrative costs will also be added to the total payoff amount and the lien will be reported to credit bureaus.
3. The violator(s) shall notify the Code Inspector in writing immediately when the violation(s) has (have) been brought into compliance. **IT IS THE RESPONSIBILITY OF THE RESPONDENT(S) TO NOTIFY CODE ENFORCEMENT AT (352) 671-8900, ON OR BEFORE THE COMPLIANCE DATE TO DEMONSTRATE TO MARION COUNTY'S SATISFACTION THAT THE VIOLATION(S) HAVE BEEN CORRECTED.**
4. The violator(s) has (have) the right to file a petition for writ of certiorari to the Circuit Court to appeal the decision of the Board. An appeal must be filed with the Circuit Court within thirty (30) days of the date of this Order. Section 162.11, Florida Statutes, provides as follows:

*162.11 Appeals - An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Code Enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.*

5. Failure to comply with this Order within the specific times set forth above will result in the recordation of this Order in the Public Records. This order shall be a lien against any non-homestead real property or personal property now owned by the violator, and any non-homestead real property or personal property which violator may own in the future, until the satisfaction of this order. Such lien may be foreclosed and the property sold to enforce such lien. If such lien is filed, you will be assessed all cost incurred in recording and satisfying this lien.

The holder of this order and the lien hereunder is the Marion County Board of County Commissioners, with the address of 601 SE 25th Avenue, Ocala, FL 34471.

DONE AND ORDERED by the Code Enforcement Board of Marion County, Florida, this 16<sup>th</sup> day of August, 2019.

I HEREBY CERTIFY THAT THE FOREGOING DOCUMENT IS A TRUE AND CORRECT COPY OF THE ORIGINAL  
*Patricia Jimmy*  
CLERK  
MARION COUNTY CODE ENFORCEMENT



MARION COUNTY  
CODE ENFORCEMENT BOARD

By: *F. Joe Krim Jr.*  
F. Joe Krim Jr., Chairperson

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Order has been furnished to JACK SUMMERVILLE EST, C/O SHERRY ELDER-DUNCAN, 10110 SE 169TH LN, SUMMERFIELD, FL 34491 by certified mail #7017 1450 000 7935 1307 this 16<sup>th</sup> day of August, 2019.

*Patricia Jimmy*  
Board Secretary

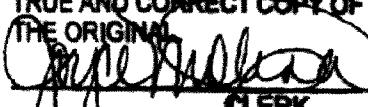


DAVID R ELLSPERMANN CLERK & COMPTROLLER MARION CO  
 DATE: 05/14/2019 10:15:42 AM  
 FILE #: 2019048691 OR BK 8965 PGS 1345-1346  
 REC FEES: \$18.50 INDEX FEES: \$0.00  
 DDS: \$0 MDS: \$0 INT: \$0

**ORDER OF MARION COUNTY CODE ENFORCEMENT BOARD  
 AND NOTICE OF HEARING ON COMPLIANCE AND IMPOSITION OF FINES**

On May 08, 2019, the Code Enforcement Board of Marion County, Florida, pursuant to Article V of the Marion County Code, held a hearing on case number 789662-GF issued by a Marion County Code Enforcement Officer. Based upon the evidence and testimony presented, and by a motion approved by a majority of those members present and voting, the Code Enforcement Board adopted the following findings of fact, conclusions of law and order:

1. The Code Inspector of Marion County, Florida, has alleged that **JACK SUMMERVILLE ESTATE** has (have) violated Marion County Code or Ordinances on real property in **10110 SE 169TH LN, SUMMERFIELD, 4716-001-035**, Marion County, Florida.
2. The Code Inspector notified the alleged violator(s) of the alleged violation(s) and gave a reasonable time for correction.
3. The alleged violation(s) continued beyond the time specified for correction and the Code Inspector notified the Code Enforcement Board and requested this hearing.
4. Written notice of this hearing containing the information required by Section 2-206 of the Marion County Code and applicable law was furnished to the alleged violator(s) in accordance with Section 2-206 and applicable law.
5. The Board finds that the Code Inspector has shown by a preponderance of the evidence that **JACK SUMMERVILLE ESTATE** has (have) violated Marion County Code, Chapter 16, Article III, Section 16-92; Accumulation of junk; unserviceable vehicles, and Marion County Code, Chapter 2, Article V, Sections 2-205(c) and 2-207(a); Repeat violation on real property located at **10110 SE 169TH LN, SUMMERFIELD**, Marion County, Florida.
6. Based upon the evidence and testimony presented, the Board hereby orders **JACK SUMMERVILLE ESTATE** to pay a fine of five hundred dollars (\$500.00) for repeating said violation(s).
7. Further, **JACK SUMMERVILLE ESTATE** (are) commanded and ordered to bring the violation(s) into compliance with County Codes and Ordinances on or before **May 30, 2019**. The violator(s) shall notify the Code Inspector in writing immediately when the violation(s) has (have) been brought into compliance. **IT IS THE RESPONSIBILITY OF THE RESPONDENT(S) TO NOTIFY CODE ENFORCEMENT AT (352) 671-8900, ON OR BEFORE THE COMPLIANCE DATE TO DEMONSTRATE TO MARION COUNTY'S SATISFACTION THAT THE VIOLATION(S) HAVE BEEN CORRECTED.**
8. **NOTICE OF HEARING** Notice is hereby given that a hearing before the Marion County Code Enforcement Board to be held on **June 12, 2019**, at **9:00 a.m.** at 2710 E. Silver Springs Blvd, Ocala, FL 34470 to determine if the violation set forth in this order continued beyond the compliance date, and if so to consider imposition of the fine and penalties set forth in this order. Your failure to appear could result in a waiver of your opportunity to be heard in this matter and may result in an action by the Code Enforcement Board which could be adverse to your interest.

I HEREBY CERTIFY THAT THE  
 FOREGOING DOCUMENT IS A  
 TRUE AND CORRECT COPY OF  
 THE ORIGINAL  
  
 CLERK  
 MARION COUNTY CODE ENFORCEMENT



Additionally, please be advised that pursuant to Chapter 162 of the Florida Statutes, you may have other additional rights in reference to any findings by the Code Enforcement Board. If you have any questions concerning the violation(s), you may call Marion County Code Enforcement Division at (352) 671-8900 to speak with the Code Enforcement Board secretary in reference to your case.

9. Upon notification by the Code Inspector that this Order has not been complied with by the time set forth above, the Board orders the violator(s) to pay an additional fine of one hundred dollars (\$100.00) per day, for each day the violation(s) continue(s) past the date set by this order to bring the violation(s) into compliance, which shall continue to accrue daily unless and until the violation(s) is (are) cleared, commencement of a foreclosure action or until extinguished by law, up to a maximum of six thousand dollars (\$6,000.00). The collection agency fee and administrative costs will also be added to the total payoff amount and the lien will be reported to credit bureaus.
10. The violator(s) has (have) the right to file a petition for writ of certiorari to the Circuit Court to appeal the decision of the Board. An appeal must be filed with the Circuit Court within thirty (30) days of the date of this Order. Section 162.11, Florida Statutes, provides as follows:

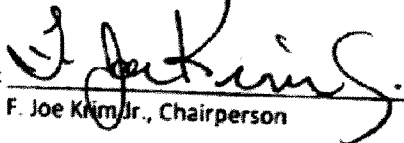
*162.11 Appeals - An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within 30 days of the execution of the order to be appealed.*

11. Failure to comply with this Order within the specific times set forth above will result in the recordation of this Order in the Public Records. This order shall be a lien against any non-homestead real property or personal property now owned by the violator, and any non-homestead real property or personal property which violator may own in the future, until the satisfaction of this order. Such lien may be foreclosed and the property sold to enforce such lien. If such lien is filed, you will be assessed all cost incurred in recording and satisfying this lien.

The holder of this order and the lien hereunder is the Marion County Board of County Commissioners, with the address of 601 SE 25th Avenue, Ocala, FL 34471.

DONE AND ORDERED by the Code Enforcement Board of Marion County, Florida, this 10<sup>th</sup> day of May, 2019.

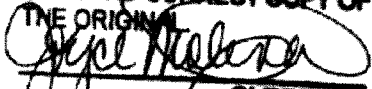
MARION COUNTY  
CODE ENFORCEMENT BOARD

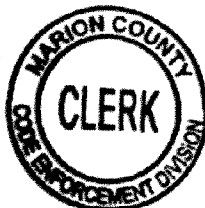
By:   
F. Joe Kim, Jr., Chairperson

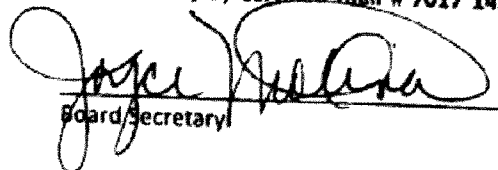
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true copies of the foregoing Order have been furnished to JACK SUMMERVILLE EST, C/O SHERRY ELDER-DUNCAN, 10110 SE 169TH LN, SUMMERFIELD, FL 34491, by certified mail # 7017 1450 0000 7937 4658 this 10<sup>th</sup> day of May, 2019.

I HEREBY CERTIFY THAT THE  
FOREGOING DOCUMENT IS A  
TRUE AND CORRECT COPY OF  
THE ORIGINAL

  
CLERK  
MARION COUNTY CODE ENFORCEMENT



  
Board Secretary



GREGORY C HARRELL CLERK & COMPTROLLER MARION CO  
 DATE: 08/19/2022 03:30:20 PM  
 FILE #: 2022122016 OR BK 7859 PG 1264  
 REC FEES: \$10.00 INDEX FEES: \$0.00  
 DDS: \$0 MDS: \$0 INT: \$0

## CERTIFICATION AND CLAIM OF LIEN JUNK ABATEMENT


**TO:** JACK SUMMERVILLE EST  
 C/O SHERRY ELDER-DUNCAN  
 10110 SE 169TH LN  
 SUMMERFIELD, FL 34491

**NOTICE IS HEREBY GIVEN** and the undersigned hereby certifies that the junk and litter located at **10110 SE 169TH LN SUMMERFIELD**, Marion County, Parcel # **4716-001-035**, has been removed at County expense, pursuant to a violation notice dated **August 31, 2021**, Code Enforcement case number **802423**.

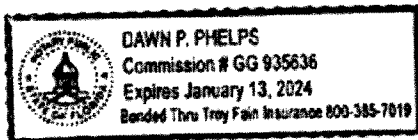
The undersigned certifies that the actual cost of remedying the violation, including expenses, totals three thousand one hundred ninety-seven dollars and seventy-three cents (\$ 3,197.73), and a lien in such amount, that shall bear interest at the legal rate established pursuant to section 55.03, Florida Statutes, from the date of recording until paid, shall constitute a lien against your property. This lien will be reported to credit bureaus.

This lien is claimed by Marion County pursuant to the provisions of Marion County Code, Chapter 16, Article III, Section 16-93 (e)(5). You may obtain a release of lien by paying the costs to the Marion County Growth Services Department, 2710 E. Silver Springs Blvd., Ocala, Florida 34470.

I HEREBY CERTIFY that the information contained herein is true and correct as of this 16<sup>th</sup> day of August, 2022

  
 Mounir Bouyounes, County Administrator

Sworn to and subscribed before me by means of X physical presence or    online notarization, this 16<sup>th</sup> day of August, 2022, by Mounir Bouyounes, County Administrator, who is personally known to me.



Dawn P. Phelps  
 Notary Public

After recording, please return to:  
 Growth Services - Code Enforcement  
 2710 E. Silver Springs Blvd.  
 Ocala, Florida 34470  
 (352) 671-8900



Jimmy H. Cowan, Jr., CFA  
**Marion County Property Appraiser**

801 SE 25th Avenue, Ocala, FL 34471 Telephone: (352) 368-8300 Fax: (352) 368-8336

2025 Property Record Card  
**Real Estate**

4716-001-035

[GOOGLE Street View](#)

Prime Key: 1130213

**MAPLE:**

Current as of 10/11/2024

Property Information

SUMMERVILLE JACK EST  
 C/O SHERRY ELDER-DUNCAN  
 10110 SE 169TH LN  
 SUMMERFIELD FL 34491-6557

Map ID: 277  
 Millage: 9001 - UNINCORPORATED

M.S.T.L.L

02

Acres: 26

Site: Sims: 10110 SE 169TH LN SUMMERFIELD

2024 Certified Value

Land Just Value	\$31,500		
Buildings	\$26,011		
Miscellaneous	\$2,184		
Total Just Value	\$59,695		
Total Assessed Value	\$34,372	Impact	(S25,323)
Exemptions	\$0		
Total Taxable	\$34,372		
School Taxable	\$59,695		

History of Assessed Values

Year	Land Just	Building	Misc Value	Mkt/Just	Assessed Val	Exemptions	Taxable Val
2024	\$31,500	\$26,011	\$2,184	\$59,695	\$34,372	\$0	\$34,372
2023	\$17,250	\$20,464	\$2,184	\$39,898	\$31,247	\$0	\$31,247
2022	\$16,875	\$15,984	\$2,184	\$35,043	\$28,406	\$0	\$28,406

Property Transfer History

Book/Page	Date	Instrument	Code	Q/U	V/I	Price
<a href="#">LNRE/SSDI</a>	02/2011	71 DTH CER	0	U	I	\$100
<a href="#">2784/1148</a>	03/2000	71 DTH CER	0	U	I	\$100
<a href="#">1849/1060</a>	07/1992	07 WARRANTY	2 V-SALES VERIFICATION	Q	I	\$24,000
<a href="#">1845/1784</a>	07/1992	64 SJDGMENT	0	U	I	\$100
<a href="#">1673/1111</a>	07/1990	71 DTH CER	0	U	I	\$100
<a href="#">1222/1325</a>	05/1984	05 QUIT CLAIM	0	U	I	\$100

Property Description

SEC 26 TWP 17 RGE 23  
 PLAT BOOK K PAGE 003  
 ORANGE BLOSSOM HILLS UNIT 16  
 BLK 1 LOT 35

Land Data - Warning: Verify Zoning

Use	CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	Class Value	Just Value
0200		75.0	150.0	R4	75.00	FF						

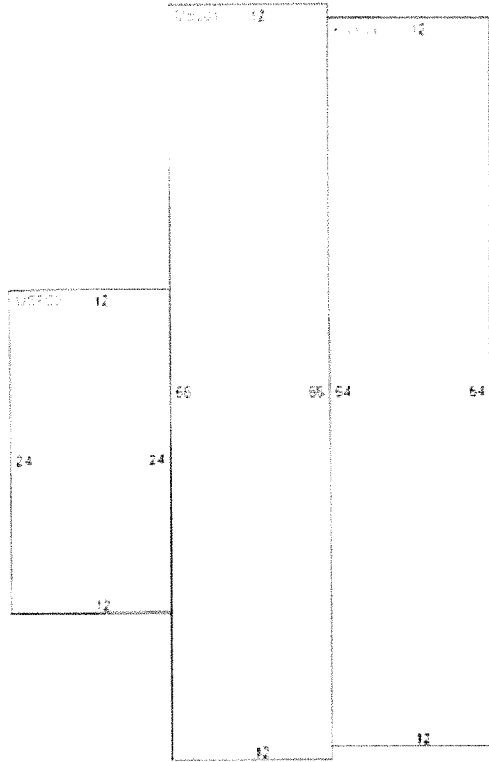
Neighborhood 9547 - ORANGE BLOSSOM HILLS UTS 15/16

Mkt. ID 70

Notes

**Building Lot 1**

MBL01=L12U56R12D56.U1  
 UCP02=U34R12D34L12.D11.12U11  
 USP03=L12U34R12D24.



Mobile Home Floor Plan

Improvement: MH - MOBILE - MOBILE HOME RESID  
 Effective Age: 9 - 40-99 YRS  
 Condition: 0  
 Quality Grade: 300 - LOW  
 Inspected on: 7/13/2020 by 025

Year Built: 1971  
 Physical Deterioration: 0%  
 Obsolescence - Functional: 0%  
 Obsolescence - Locational: 0%  
 Architecture: 2 - MBL HOME  
 Base Perimeter: 136

Type	ID Exterior Walls	Stories	Year Built	Finished Attic	Bsmt Area	Bsmt Finish	Ground Floor Area	Total Flr Area
MH	01 20 - MBL ALUM SIDING	1.00	1971	N	0%	0%	672	672
UCP	02 01 - NO EXTERIOR	1.00	1971	N	0%	0%	648	648
ISP	03 01 - NO EXTERIOR	1.00	1971	N	0%	0%	288	288

**Section 1**

Roof Style: 10 GABLE  
 Roof Cover: 15 MH PAN-AVERAGE  
 Heat Meth 1: 22 DUCTED FHA  
 Heat Meth 2: 00  
 Foundation: 3 PIER  
 A/C: Y

Floor Finish: 24 CARPET  
 Wall Finish: 12 PLYWD PANELING  
 Heat Fuel 1: 10 ELECTRIC  
 Heat Fuel 2: 00  
 Fireplaces: 0

Bedrooms: 2  
 4 Fixture Baths: 0  
 3 Fixture Baths: 1  
 2 Fixture Baths: 0  
 Extra Fixtures: 2

Blt-in Kitchen: Y  
 Dishwasher: N  
 Garbage Disposal: N  
 Garbage Compactor: N  
 Intercom: N  
 Vacuum: N

Utility and Foundation

Type	Nbr Units	Type	Life	Year In	Grade	Length	Width
250 WELL 1-5 BTH	1.00	WT	99	1989	1	0.0	0.0
190 SEPTIC 1-5 BTH	1.00	ST	99	1971	1	0.0	0.0
ADU/UTILITY-ALUM	120.00	SP	40	1980	1	10.0	12.0
150 PAV CONCRETE	724.00	SP	70	1980	3	0.0	0.0
105 FBNCF CHAIN LK	75.00	LF	20	2000	1	0.0	0.0
ADU/UTILITY-ALUM	70.00	SP	40	1980	1	10.0	7.0

Interior Information

INTERIOR INFORMATION ESTIMATED UPI

Planning and Building  
\*\* Permit Search \*\*

Permit Number	Date Issued	Date Completed	Description
09010-5	9/1/1995	9/1/1995	WELL