

ALACHUA COUNTY  
BOARD OF COUNTY COMMISSIONERS

**RESOLUTION NO. 2024 - \_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA; RELATING TO NUISANCE ABATEMENT; PROVIDING AUTHORITY AND IMPOSING A NON-AD VALOREM SPECIAL ASSESSMENT FOR COSTS AGAINST AND FOR CERTAIN PROPERTY LOCATED IN UNINCORPORATED ALACHUA COUNTY DECLARED TO BE PUBLIC NUISANCE IN ACCORDANCE WITH CHAPTER 74 OF THE ALACHUA COUNTY CODE; PROVIDING FOR THE COLLECTION; PROVIDING FOR MODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the intent of Chapter 162, Florida Statutes is to promote, protect, and improve the health, safety, and welfare of the citizens of the counties by utilizing code enforcement processes and imposing fines and penalties to provide an equitable, expeditious, effective, and inexpensive method of enforcing any codes and ordinances, where a pending or repeated violation continues to exist; and

**WHEREAS**, Alachua County Board of County Commissioners (“Board”), in accordance with Chapter 162, Florida Statutes, has adopted a code enforcement process and has provided that a violation of the Alachua County Code may be enforced, subject to penalties, and any other remedy available at law or equity; and

**WHEREAS**, the Board has found that any property within unincorporated Alachua County that creates or contains an emergency threat to life, safety, and welfare of the general public or neighboring properties is a public nuisance, and

**WHEREAS**, Alachua County utilized the code enforcement process in attempt to bring certain properties, identified and described in **Exhibit “B”** and incorporated herein by reference, into compliance with the Alachua County Code; and

**WHEREAS**, the Board, after declaring the certain properties as public nuisances followed the process in Chapter 74, Alachua County Code, to have the County remove and abate the

nuisance conditions on such properties, which incurred a cost and expense; and

**WHEREAS**, the owners of the certain properties were provided notice of the cost and expense incurred in remedying the conditions, but failed to remit payment to the County; and

**WHEREAS**, Chapter 74 of the Alachua County Code authorizes the levying of a non-ad valorem special assessment on the certain properties for the unpaid costs incurred by the County in abating nuisance conditions; and

**WHEREAS**, Chapter 74 of the Alachua County Code also authorizes the County to take any other action available at law or equity to recover the total costs incurred to abate the nuisance, including public costs and others costs necessary to collect the assessment levied; and

**WHEREAS**, the imposition of an assessment for nuisance abatement is equitable method of allocating the clean up costs where the violations existed; and

**WHEREAS**, it is determined and declared by the Board that the certain properties described herein specifically benefited by the County's abatement of the nuisance conditions, in part by the alleviation of the accumulation of trash, junk, and debris and increased property value, and that the abatement benefited public health, safety, and welfare; and

**WHEREAS**, the property owners, and those others with interest, of the properties described herein and affected by this Resolution were provided written notice that the Board may authorize the levying of non-ad valorem special assessment for the unpaid costs incurred by the County and were provided notice of time and place of the public hearing to held on September 10, 2024, at which this Resolution was adopted; and

**WHEREAS**, pursuant to Chapter 74, Alachua County Code, the purpose of this Resolution is to impose a non-ad valorem special assessment against the certain properties described herein in accordance with the Alachua County Code, Chapter 197, Florida Statutes, and the Uniform Assessment Collection Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AS FOLLOWS:**

1. The above recitals are true and correct and are incorporated herein.
2. This Resolution is adopted pursuant to the County's Home Rule Authority and the provisions of Chapter 74, Article IV, of the Alachua County Code, and other applicable provisions

of law.

3. It is hereby determined and declared that the certain properties listed in **Exhibit A** attached hereto and incorporated herein (more specifically described in **Exhibit B** attached hereto), specially benefited from the abatement of nuisances by Alachua County (“County”). The County incurred expense in remedying the nuisance condition and the proceeds of the special assessment shall be reimbursed to Alachua County for these costs paid. The County is using this method to collect the special assessment for the costs incurred by the County in abating the nuisance which were not paid by the property owner(s).

4. There is hereby levied and imposed a non-ad valorem special assessment against the property identified in **Exhibit A** attached hereto. The costs for the nuisance abatement and the amount levied for this certain benefited property is listed on **Exhibit A**. The Board determines that the levy of the assessments is needed to fund the costs for abatement of the nuisance conditions. The method of collection and for the assessments will be as set forth in Alachua County Code, Chapter 197, Florida Statutes, and the Uniform Assessment Collection Act.

5. Upon approval, a copy of the Resolution will be recorded in the Official Records of Alachua County, Florida and shall constitute a lien upon the assessed identified property that is equal in rank and dignity with the liens of all State, County, District or Municipal taxes and other non-ad valorem assessment. Except as otherwise provided by law, such liens shall be superior in dignity to all other liens, titles and claims, until paid. Payment in full of special assessment imposed, plus associated administrative costs of collection including recording costs, shall operate as a release of special assessment lien upon such property.

6. Upon approval, a copy of the Resolution will be provided to the Alachua County Tax Collector, and otherwise as required by law.

7. It is the intent of the Board that the provisions of this Resolution may be modified as a result of considerations that may arise during the public meeting. Such modifications shall be incorporated into the final version adopted by the Board and filed by the Clerk to the Board.

8. The provisions of this Resolution are severable, and if any section, subsection, paragraph, clause or provision is held invalid by any court of competent jurisdiction, the remaining provisions of this Resolution shall not be affected thereby.

9. This Resolution shall become effective immediately upon its adoption by the Board.

DULY ADOPTED in regular session on this 10<sup>th</sup> day of September, 2024.

**BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA**

ATTEST:

\_\_\_\_\_  
J.K. “Jess” Irby, Esq.  
Clerk of Court

BY: \_\_\_\_\_  
Mary C. Alford, Chair  
Board of County Commissioners

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney

**Exhibit A**

**NUISANCE ABATEMENT SPECIAL ASSESSMENT**

Parcel ID Number	Description	Address	Property Owner(s)	Assessment Amount
16258-004-000	ROBINSON HGTS 1 OR 98/683 LOT 4 (SEE RESOLUTION 84-16 OR 1826/1498) OR 452/370 & OR 4092/0512 & OR 4114/2069 & 4372/1887 & OR 5078/1593	1411 SE 41 <sup>st</sup> , Gainesville, Alachua County, Florida	Estate of Doris Crawford Martin; Debora Lynn Martin a/k/a Debra Lynn Martin; Lance Edward Martin	\$10,000

Exhibit B

This instrument prepared by  
and after recording return to:

Doris Crawford Martin  
1411 SE 41<sup>st</sup> Avenue  
Gainesville, FL 32641

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 3480037 2 PG(S)  
March 23, 2023 4:09:24 PM  
Book 5078 Page 1593  
J.K. JESS IRBY, ESQ. Clerk Of Court  
ALACHUA COUNTY, Florida  
Doc Stamp-Deed: \$0.70



Property Appraiser's Parcel  
Identification Number(s) 16258-004-000

**WARRANTY DEED**

The Grantor, **DORIS CRAWFORD MARTIN**, an unmarried woman, in consideration of Ten and No/100 Dollars (\$10.00) and other valuable consideration received from the Grantees, hereby grants and conveys to the Grantees, **DEBORA LYNN MARTIN**, who is also known as **Debra Lynn Martin** and whose mailing address is 1411 SE 41<sup>st</sup> Avenue, Gainesville, FL 32641, and **LANCE EDWARD MARTIN**, whose mailing address is 1411 SE 41<sup>st</sup> Avenue, Gainesville, FL 32641, to hold as Joint Tenants with Right of Survivorship, all of the Grantor's right, title and interest in and to certain property located in Alachua County, Florida (the "Property"), but subject to the reservation of the Grantor's rights enumerated below. The Property is more particularly, described as follows:

Lots Four (4) and Nine (9) of ROBINSON HEIGHTS, Unit No 1,  
as per map thereof recorded in Official Records Book 98, Page 683,  
of the Public Records of Alachua County, Florida.

Parcel Identification Number 16258-004-000.

The Grantor reserves to herself, as Life Tenant, an enhanced life estate in the Property, being the exclusive possession, use and enjoyment of the Property and its rents and profits, without liability for waste, and specifically reserves to herself the following rights, exercisable without the joinder of the remainder beneficiary and with or without consideration: to sell, lease, encumber, or pledge the Property; to manage or dispose of all or part of the Property or to grant any interest in the Property, all by gift, sale, or otherwise; to retain any and all proceeds generated by a sale, lease, or encumbrance, as the Life Tenant in her sole discretion decides; to terminate the interest of the Grantees by the exercise of any right retained in this deed, including the right to cancel this deed by further conveyance to herself or to anyone else.

The Grantor warrants that the property is free of all encumbrances, except the lien for real estate taxes not yet due and payable and restrictions, reservations, and easements of record, and that lawful seisin of and good right to convey the property are vested in the Grantor. The Grantor hereby fully warrants the title to the property and will defend the same against the lawful claims of all persons.

THE PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

Signed on February 24, 2023.

Signed in the presence of:

*A. Stanley*  
Print Name: *Angela Stanley*

*Adam Roark*  
Print Name: *Adam Roark*

*Doris Martin*  
**DORIS CRAWFORD MARTIN**  
1411 SE 41<sup>st</sup> Avenue  
Gainesville, Florida 32641

Two witnesses as to  
**DORIS CRAWFORD MARTIN**

STATE OF FLORIDA  
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me on February 24, 2023, by **DORIS CRAWFORD MARTIN**.

Physical Presence   X    
Online Notarization \_\_\_\_\_  
Personally Known \_\_\_\_\_  
Produced Identification   X    
Type of Identification   FL identification card  

*Adam Roark*  
Notary Public--State of Florida  
Print Notary Name: \_\_\_\_\_  
My Commission Number is: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

 **ADAM ROARK**  
Commission # HH 011568  
Expires July 15, 2024  
Bonded Thru Budget Notary Services