

**SPECIAL MAGISTRATE
CITY OF FORT PIERCE, FLORIDA**

City of Fort Pierce,
Petitioner,

SM Case No. 8-35

vs.

Westie Holdings, LLC,
Respondent.

ORDER APPROVING STIPULATION FOR MODIFICATION OF PRIOR ORDER

THIS CAUSE, came before the Special Magistrate pursuant to §162.07, *Fla.Stat.*, for consideration of that certain Stipulation for Modification of Prior Order between the Petitioner, the City of Fort Pierce, Florida, and the Respondent, Westie Holdings, LLC, dated May 9, 2012, and the Special Magistrate, having reviewed and considered said Stipulation and being otherwise advised in the premises, finds and determines that:

A. The Special Magistrate previously entered in this cause its Order Approving Stipulation dated June 16, 2010, *nunc pro tunc* July 25, 2008, which incorporated therein the Stipulation between the parties dated July 25, 2008 (hereinafter collectively referred to as the “prior Order”).

B. The Respondent continues to be the owner of that certain real property located at 1116 Colonnades Drive, Fort Pierce, St. Lucie County, Florida, with a legal description of:

FT. PIERCE BEACH S/D BLK 23 BEG AT SE COR COLONNADES
CONDO ASSN NO 8, TH N 72 DEG 51 MIN E 234 FT, TH S 17 DEG
09 MIN E 24 FT, TH S 72 DEG 51 MIN W 234 FT, TH N 17 DEG 09
MIN W 24 FT TO POB

TAX I.D. NO.: 240150103312305

C. The Respondent now seeks a modification of certain provisions of the prior Order so that the Respondent may be allowed to replace the “box trailer” described in the prior Order with a stationary storage shed with dimensions of 12 x 28 at said real property.

D. The Petitioner has no objection to the modification sought by the Respondent subject to and conditioned upon any such shed and its location satisfying all applicable provisions of the Code of Ordinances of the City of Fort Pierce, Florida and the appropriate department of the City of Fort Pierce, Florida approving the Respondent’s application for any required permit for such shed, conditions which are acceptable to the Respondent.

E. The Petitioner and the Respondent freely and voluntarily entered into said Stipulation dated May 9, 2012, the original of which has been filed with the Code Enforcement Department and was admitted into evidence herein, and said Stipulation should be approved by the Special Magistrate. Accordingly, it is

ORDERED as follows:

1. The provisions of said Stipulation dated May 9, 2012 are approved and incorporated herein by reference, and the parties are directed to comply therewith.

2. The provisions of the prior Order are modified only to the extent specified in said Stipulation dated May 9, 2012, and all other provisions of the prior Order not so modified shall remain in full force and effect.

DONE AND ORDERED this _____ day of _____, 2012.

Fran Ross, Esquire
Special Magistrate

I CERTIFY that a copy of the above Order was mailed to: the Respondent, Westie Holdings, LLC, Attention: Timothy Morrissey, President, at 1116 Colonnades Drive, Fort Pierce, FL 34949; and Steven R. McCain, Esquire, Assistant City Attorney, PO Box 1480, Fort Pierce, FL 34954-1480, on this _____ day of _____, 2012.

COLLEEN GREER, Administrative Secretary