

**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

THIS CAUSE came before the Special Master pursuant to §162.07, Fla.Stat., for consideration of that certain Stipulation between the Petitioner, City of Fort Pierce, and the Respondent, Westie Holdings, LLC, dated July 25, 2008, and the Special Magistrate, having reviewed and considered said Stipulation and being otherwise advised in the premises, finds and determines that:

A. The Respondent is 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

(hereinafter referred to as the "real property").

B. Presently pending in this case are alleged violations of the Code of Ordinances of the City of Fort Pierce, Florida (hereinafter referred to as the "Code") at the real property, said sections being: 22-74, 17-8(a), 17-8, 5-1.140.4.2, and 5-1.140.4.2.1.

C. The Petitioner and the Respondent freely and voluntarily entered into said Stipulation, the original of which has been filed with the Department of Building and Code Enforcement 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 the Stipulation are approved and incorporated herein by reference and the parties are directed to comply therewith.

2. The above-referenced alleged violations shall be deemed corrected and the real property shall be considered in compliance with the aforesaid sections of the Code upon the Respondent completing the remedial action at the real property as specified in the Stipulation which shall be completed within 30 days of the date of the Stipulation (i.e., within 30 days of July 25, 2008). If the Respondent does not complete said remedial action within said 30 day time period, a penalty of \$250.00 for each and every day such remedial action is not completed past said time period will be assessed.


3. This Order may be recorded in the public records of St. Lucie County, Florida and shall constitute notice to any subsequent purchasers, successors in interest or assigns regarding matters concerning the real property as described in this Order, including the Stipulation incorporated herein. If this Order is not complied with timely, then the Petitioner shall be entitled to seek all remedies allowed by law, including the entry of an order pursuant to §162.09, Fla.Stat., and Rule 15, Rules of Procedure of the Code Enforcement Board and the Special Magistrate of the City of Fort Pierce, Florida, imposing a fine that may be recorded in the public records and which thereafter shall constitute a lien against the real property and upon any other real or personal property owned by the Respondent.

4. The Respondent shall be responsible for contacting the Code Enforcement Department of the Petitioner to arrange for an inspection of the real property in order to verify that the remedial action specified in the Stipulation has been completed and that the real property is in compliance with the provisions of the Code.

DONE AND ORDERED this 16th day of June, 2010, *nunc pro tunc* July 25, 2008.


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; Glenn M. Blake, Esquire, Attorney for the Respondent, at 423 Delaware Ave., Fort Pierce, FL 34950; and Steven R. McCain, Esquire, Assistant City Attorney, PO box 1480, Fort Pierce, FL 34954-1480, on this 16th day of June, 2010.


KAREN BRUNO, Administrative Secretary