

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

City of Fort Pierce,
Petitioner,

SM Case No.: 8-35

vs.

Westie Holdings, LLC,
Respondent.

STIPULATION

The Petitioner, the City of Fort Pierce, Florida, and the Respondent, Westie Holdings, LLC, by and through their respective undersigned representatives, hereby stipulate and agree to the following matters:


1. The person(s) signing this Stipulation has the authority to enter into this Stipulation and thereby bind the respective parties to the terms contained herein.


2. 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").

3. 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, and 5-1.101.4.2. 5-1.140.4.2 and 5-1.140.4.2.1 Building Code 

4. Said alleged violations shall be deemed corrected and the real property shall be considered in compliance with said sections of the Code upon the Respondent completing the remedial action at the real property as hereinafter specified in this Stipulation which shall be completed within 30 days of the date of this Stipulation. 

5. 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.

6. The Respondent shall be allowed to maintain coquina on the current 30 foot strip of land east of and abutting the current asphalt driveway on the real property; and the Respondent shall remove the remaining coquina at the real property and replace such removed coquina with grass that shall be properly maintained, including being mowed, in compliance with the provisions of the Code applicable thereto.

7. Subject to and conditioned upon the real property being and remaining in compliance with all provisions of the Code and the provisions of Paragraph 8 of this Stipulation, the Respondent shall be permitted to store the following items of the Respondent's personal property in the area of the real property currently covered with asphalt and the 30-foot strip of land currently covered with coquina east of and abutting the current asphalt driveway, described in Paragraph 6 of this Stipulation, to wit: boat and trailer; box trailer; and personal vehicle.

8. The real property shall not be used for any commercial purposes, including, but not limited to, storage. Additionally, pursuant to the Code, there shall be no outside storage at the real property and, accordingly, any materials, including but not limited to, concrete blocks, construction materials or any other miscellaneous items, must be stored within or inside the Respondent's box trailer referred to in Paragraph 7 of this Stipulation.

9. 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 said remedial action has been completed and that the real property is in compliance with the provisions of the Code.

Petitioner:

City of Fort Pierce, Florida

By: Margaret Murray
Title: CODE COMPLIANCE MGR
Date: 7-25-08

Respondent:

Westie Holdings, LLC

By: Timothy Morrissey
Title: PRES
Date: 7/18/08

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Sworn to and subscribed before me by
TIMOTHY MORRISSEY PRESIDENT, (Title)
of Westie Holdings, LLC, a Florida limited liability
company, on behalf of the company, to me well
known and/or who produced DRIVERS LICENSE as
identification, who after being duly sworn,
acknowledged the due execution of the foregoing
Stipulation for the purposes therein expressed, on this
18th day of JULY, 2008.

Deanna Zak
Notary Public
My Commission Expires:

NOTARY PUBLIC-STATE OF FLORIDA
Deanna Zak
Commission # DD510474
Expires: JAN. 24, 2010
Bonded Thru Atlantic Bonding Co., Inc.