

IN THE CIRCUIT COURT OF THE 11<sup>TH</sup>  
JUDICIAL CIRCUIT, IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

CASE NO.

CITY OF NORTH MIAMI,  
a Florida Municipal corporation,

Plaintiff,

v.

ALHAMBRA HEIGHTS 645, LLC,

Defendants.

---

**FORECLOSURE COMPLAINT**

COMES NOW, Plaintiff, CITY OF NORTH MIAMI, a Municipal Corporation, ("CITY"), hereby sues Defendants, ALHAMBRA HEIGHTS 645, LLC, and as grounds thereof says:

1. This is an action to foreclose certain code enforcement and special assessment liens and for money damages in an amount in excess of Fifteen Thousand Dollars (\$15,000.00), exclusive of interest, costs and attorney's fees.

**JURISDICTION AND PARTIES**

2. The CITY is a municipal corporation lying wholly within Miami-Dade County, Florida, and exercising powers pursuant to Article VIII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, The Municipal Home Rule Powers Act, as well as Chapter 162, Florida Statutes.

3. Defendant, ALHAMBRA HEIGHTS 645, LLC, is the owner of the real property at issue located in Miami-Dade County, Florida.

4. The real property at issue in this action is located in Miami-Dade County, Florida.

5. Jurisdiction and venue is proper in this Court as the real property at issue is located in Miami-Dade County, Florida and the Defendant conducts business transactions in relation to this property within Miami-Dade County, Florida.

### COUNT I - FORECLOSURE

6. Defendant, ALHAMBRA HEIGHTS 645, LLC, owns the following described real property lying and being in the City of North Miami, Miami-Dade County, Florida:

Lots 28 and 29, Block 28, of ALHAMBRA HEIGHTS, according to the Plat thereof, recorded in Plat Book 17, Page 54 of the Public Records of Miami-Dade County, Florida

Property Address: 645 N.W. 123 Street, North Miami, Florida

Parcel ID/Folio No. 06-2125-018-1760

7. The above described property is not homestead property.

8. Plaintiff incorporates and alleges the allegations in paragraphs 1 through 5 above.

9. On or about February 19, 2013, a Notice of Lien was recorded in the Official Records of Miami-Dade County, Florida at Official Records Book 28494, Page 2449, a copy of which is attached hereto and made a part hereof as Exhibit "A," and

10. On or about July 11, 2012, an Order Imposing Fine and Authorizing Lien was entered by the City of North Miami Code Enforcement Special Magistrate against

the property. On July 31, 2012, Plaintiff recorded the lien in the Official Records of Miami-Dade County, Florida at Official Records Book 28209, Pages 3951-3952, a copy of which is attached hereto and made a part hereof as Exhibit "B;" and

11. On or about February 15, 2015, an Order Imposing Fine and Authorizing Lien was entered by the City of North Miami Code Enforcement Special Magistrate against the property. On February 17, 2015, Plaintiff recorded the lien in the Official Records of Miami-Dade County, Florida at Official Records Book 29503, Pages 3868-3869, a copy of which is attached hereto and made a part hereof as Exhibit "C;" and

12. On or about March 4, 2015, an Order Imposing Fine and Authorizing Lien was entered by the City of North Miami Code Enforcement Special Magistrate against the property. On April 15, 2015, Plaintiff recorded the lien in the Official Records of Miami-Dade County, Florida at Official Records Book 29578, Pages 3419-3420, a copy of which is attached hereto and made a part hereof as Exhibit "D;" and

13. On or about November 4, 2015, an Order Imposing Fine and Authorizing Lien was entered by the City of North Miami Code Enforcement Special Magistrate against the property. On November 23, 2015, Plaintiff recorded the lien in the Official Records of Miami-Dade County, Florida at Official Records Book 29863, Pages 438-439, a copy of which is attached hereto and made a part hereof as Exhibit "E;" and

14. On or about July 6, 2016, an Order Imposing Fine and Authorizing Lien was entered by the City of North Miami Code Enforcement Special Magistrate against the property. On August 5, 2016, Plaintiff recorded the lien in the Official Records of Miami-Dade County, Florida at Official Records Book 30181, Pages 4343-4344, a copy of which is attached hereto and made a part hereof as Exhibit "F;" and

15. There is due and owing to the CITY as a result of certain code enforcement procedures a total sum in excess of Fifteen Thousand Dollars (\$15,000.00) as follows:

(a) Under the lien described on Exhibit "A", a fine was imposed in the amount of \$401.05 plus interest, and **\$646.02** remains due and owing;

(b) Under the lien described on Exhibit "B", a fine was imposed in the amount of \$250.00 per day commencing June 20, 2012, and **\$607,257.73** remains due and owing pursuant to the violations enumerated in Exhibit B;

(c) Under the lien described on Exhibit "C", **\$288.50** remains due and owing pursuant to the violations enumerated in Exhibit C;

(d) Under the lien described on Exhibit "D", a fine was imposed in the amount of \$100.00 per day commencing March 4, 2015, and **\$288,336.63** remains due and owing pursuant to the violations enumerated in Exhibit D;

(e) Under the lien described on Exhibit "E", a fine was imposed in the amount of \$100.00 per day commencing November 4, 2015, and **\$11,138.05** remains due and owing pursuant to the violations enumerated in Exhibit E;

(f) Under the lien described on Exhibit "F", a fine was imposed in the amount of \$200.00 per day commencing August 15, 2016, and **\$91,238.50** remains due and owing pursuant to the violations enumerated in Exhibit F;

16. Defendant, ALHAMBRA HEIGHTS 645, LLC, has failed to pay the amounts due and owing regarding any of the liens attached in Exhibits "A" through "F" and said amounts continue to be owed to Plaintiff.

17. Plaintiff is the owner and holder of all of the liens attached in Exhibits "A" through "F."

18. The original violations continue to exist on the Property. As a result, penalty fines in the approximate amount of **nine hundred ninety eight thousand nine hundred five dollars and forty three cents (\$998,905.43)** has accrued since the Notices of Lien and Orders Imposing Fine and authorizing Lien were recorded, and the daily fines and interest continue to accrue each and every day the violation continues to exist on the Property.

19. Pursuant to Florida Statute §162.09, Plaintiff may initiate foreclosure actions to obtain payment code enforcement liens.

20. All conditions precedent to the establishment and enforcement of the City's code enforcement liens recorded in the Public Records of Miami-Dade County, Florida, have occurred or have otherwise been waived.

21. Plaintiff is entitled to recover its reasonable attorney's fees incurred in this action pursuant to Section 162.10, Florida Statutes.

WHEREFORE, the CITY prays that:

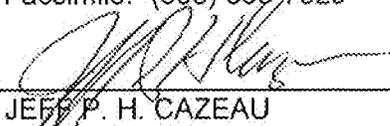
- (a) The Court takes jurisdiction of this matter and the parties;
- (b) The Court will ascertain the amount of money due Plaintiff pursuant to all of the Liens that Plaintiff is entitled to recover in this action, plus interest thereon;
- (c) The Court decree that Plaintiff has a lien on the property described herein for the sum of money found to be due to Plaintiff; and

- (d) If the sums due to Plaintiff are not paid immediately, the Court shall foreclose all of the liens, and the Clerk of Court shall sell the property to satisfy all of the liens; and
- (e) The Court declares that all other liens inferior to the liens of the CITY described herein and foreclose the CITY's liens referenced herein; and
- (f) The Court award attorney's fees, interest and costs, and
- (g) The Court retain jurisdiction in order to make all such further orders and judgments as may be necessary and proper including the issuance of a Writ of Possession or a deficiency judgment; and
- (h) The Court grant such other and further relief as Plaintiff may be entitled to receive.

Respectfully submitted,

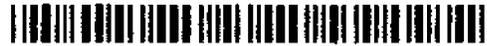
OFFICE OF THE CITY ATTORNEY  
CITY OF NORTH MIAMI  
776 N.E. 125<sup>th</sup> Street  
North Miami, FL 33161  
Telephone: (305) 895-9810  
Facsimile: (305) 895-7029

By: \_\_\_\_\_

  
JEFF P. H. CAZEAU  
City Attorney  
Florida Bar No. 605905  
Primary Email: [cityattorney@northmiamifl.gov](mailto:cityattorney@northmiamifl.gov)  
Secondary Email: [jcazeau@northmiamifl.gov](mailto:jcazeau@northmiamifl.gov)  
JENNIFER LYNN WARREN  
Deputy City Attorney  
Florida Bar No. 42834  
Primary Email: [cityattorney@northmiamifl.gov](mailto:cityattorney@northmiamifl.gov)  
Secondary Email: [jwarren@northmiamifl.gov](mailto:jwarren@northmiamifl.gov)

# **EXHIBIT**

**“A”**



CFN 2013R0131389

OR Bk 28494 Pg 24497 (1pg)  
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HARVEY RUVIN, CLERK OF COURT  
MIAMI-DADE COUNTY, FLORIDA  
LAST PAGE

CITY OF NORTH MIAMI

NOTICE OF LIEN

NOTICE IS HEREBY GIVEN of the intention of the City of North Miami, Florida to hold a lien in the amount of \$401.05 against that certain real property located at 645 NW 123 ST North Miami, Florida, County

of Dade more properly described as: (Legal Description)  
0000000000000000 25 52 41 ALHAMBRA HEIGHTS PB 17-54 LOTS 28 & 29 BLK 28 LOT SIZE 100.000 X 135

COUNTY FOLIO: 0621250181760000  
CITY'S LIEN NUMBER: 15481

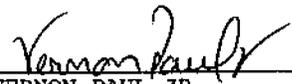
Said lien is authorized pursuant to Article VI of Chapter 2 the code of Ordinances of the City of North Miami, Florida, for the following utility services to the aforementioned location on the date or dates specified herein:

UTILITY SERVICES TO :	06-30-11
ACCOUNT NUMBER :	01-04-14500-01
IN THE AMOUNT OF :	\$385.30
PLUS :	\$15.75
TOTAL AMOUNT DUE CITY OF NORTH MIAMI :	\$401.05

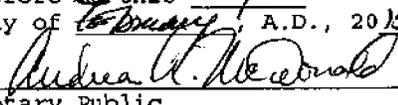
Said labor and/or services being authorized in accordance with Chapter 19 of the code of ordinances of the city of North Miami, Florida.

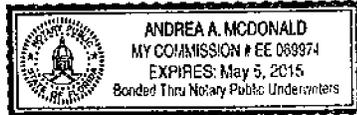
The City claims a lien on the real property herein described along with interest, costs and reasonable attorney's fees.

Under oath, I have hereunto affixed the official seal of the City of North Miami, Florida this 07th day of FEBRUARY, 2013 .

  
VERNON PAUL JR.  
FINANCE DIRECTOR

Sworn to and subscribed before me this 7th day of February, A.D., 2013. PERSONALLY KNOW TO ME DID TAKE AN OATH

  
Notary Public



(This instrument was prepared by: CHRISTINA HIBBERT- LIENS (RECEIVABLE ACCOUNT CLERK - City of North Miami 776 N.E.) (125th Street - North Miami, Florida 33161)

**EXHIBIT**  
**“B”**



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July 12, 2012

**Code Enforcement Special Magistrate**

776 Northeast 125th Street, P.O. Box 610850, North Miami, FL 33261-0850

File #: CENUS-2012-00024

City of North Miami  
Plaintiff,

vs.

**Order Imposing Fine  
And Authorizing Lien**

IRVING J DENMARK TR,  
12351 NW 7 AVE  
MIAMI, FL 33168-8260

Property Location: 645 NW 123 ST

This matter was heard by the Code Enforcement Special Magistrate of the City of North Miami, Florida upon notification by the Code Enforcement Officer that a violation pursuant to Section of the 12-2 Code of the City of North Miami and Section 162.09, Florida Statutes, has occurred and the hereby **Orders As Follows:**

1. IRVING J DENMARK TR. is (are) hereby found guilty of violating Section 12-2 of the Code of Ordinances of the City of North Miami, NUISANCE PROHIBITED.
  2. Pursuant to the power vested in the Code Enforcement Special Magistrate by virtue of Section 162.09, F.S., and the Code of Ordinances of the City of North Miami, as the same may hereafter be amended, a fine of \$250.00 per day commencing 06/20/2012, is hereby assessed. There is also assessed interest at the rate of twelve percent (12%) per annum and other costs and fees as provided by law. The City is entitled to recover costs incurred in the prosecuting of the case before the Code Enforcement Special Magistrate pursuant to Chapter 162, Florida Statutes.
  3. Said fine and cost are hereby declared to be a lien against the land on which the violation exists and upon any other real or personal property owned by the defendant(s), and shall continue to accrue for each day the violation continues. The City of North Miami shall be entitled to collect all costs incurred in recording and satisfying such lien, pursuant to Chapter 162, Florida Statutes.
- UPON COMPLIANCE, IT IS THE DEFENDANT(S) RESPONSIBILITY TO NOTIFY THE CODE ENFORCEMENT OFFICER OF THE CITY IN ORDER TO OBTAIN A COMPLIANCE INSPECTION TO STOP THE FINE FROM RUNNING.
4. All liens levied against property by the city shall become a lien to the same extent and character as a lien for special improvements, and with the same priorities, penalties, rights of collection, foreclosure, sale and forfeiture as obtained for special assessment liens.
  5. In determining the amount of the fine, the Code Enforcement Special Magistrate has considered the following factors:
    - (a) The gravity of the violation;
    - (b) Any actions taken by the Defendants(s) to correct the violation; and
    - (c) Any previous violations committed by the Defendant(s).

A certified copy of this Order shall be recorded in the public records and shall constitute a lien pursuant to Section 162.09, F.S., and may be enforced in the same manner as a court judgement by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgement except for enforcement purposes.

6. In the event further proceedings are initiated by the Code Enforcement Officer, the Code Enforcement Special Magistrate reserves the right to subpoena defendant(s) and to assess additional fines and take whatever steps are necessary to bring a violation into compliance.

DONE AND ORDERED at the Chambers of the Code Enforcement Special Magistrate, at North Miami, Miami-Dade County, Florida.

ATTEST:

CITY OF NORTH MIAMI

*Pilar Diaz*  
CLERK

*[Signature]*  
SPECIAL MAGISTRATE

**ACKNOWLEDGEMENT**

On this 07/11/2012 the Code Enforcement Special Magistrate, and Pilar Diaz, Clerk of the Code Enforcement Special Magistrate, personally appeared before me and acknowledged the execution of this Order. Both aforementioned persons are personally known to me.

*William*  
Signature, Notary Public, State of Florida



Space for Certification of Document by City Clerk:



**CERTIFICATION**

I certify this to be a true and correct copy of the record in my office.  
WITNESSETH my hand and official seal of the City of NORTH MIAMI Florida, this the 17 day of July 2012.  
[Signature] City Clerk

Copies Furnished to: Defendant(s)  
Case File  
Lien Clerk, City of North Miami

**EXHIBIT**  
**“C”**



CFN 2015R0101885  
OR Bk 29503 Pas 3868 - 3869 (2pgs)  
RECORDED 02/17/2015 15:14:51  
HARVEY RUVIN, CLERK OF COURT  
MIAMI-DADE COUNTY, FLORIDA

Prepared by and Return to:

Code Compliance Unit  
City of North Miami  
776 N.E. 125 Street  
North Miami, FL 33161

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**Code Enforcement Special Magistrate**  
776 Northeast 125<sup>th</sup> Street, North Miami, FL 33161-5654

Civil Ticket Number: 7297  
Case Number: CTJNK-2014-00012

CITY OF NORTH MIAMI,  
Plaintiff,  
vs.

**ORDER IMPOSING LIEN**

IRVING J. DENMARK (TR), AND/OR CURRENT PROPERTY OWNER(S).  
Defendant(s).

**Violation of City Code of Ordinances: Section 10-9, Property Code Violation**

Folio Number: 06-2125-018-1760  
Property Address: 645 NW 123 Street, North Miami, Miami-Dade County, FL  
Legal Description: Alhambra Heights, PB 17-54, Lots 28-29, Blk 28, etc.

This matter was heard by the Code Enforcement Special Magistrate ("Special Magistrate") of the City of North Miami, Florida ("City"), upon notification that a violation, pursuant to Section 2-111, City Code and Section 162.09, Florida Statutes, has occurred and thereby, **Orders as Follows:**

1. Defendant(s) is (are) hereby found guilty of violating City Code as described above.
2. Pursuant to the power vested in the Special Magistrate by virtue of Chapter 162, Florida Statutes, as amended from time to time, the aforementioned Civil Violation Ticket fine in the amount of **\$250.00** with interest thereon and other costs as provided by law is due and payable to the City. Pursuant to Chapter 2-112, Code of Ordinances of the City of North Miami, the City is entitled to recover costs incurred prosecuting the case before the Special Magistrate.
3. Said fine and costs are hereby declared to be a lien against the land on which the Civil Violation Ticket was written upon, and upon any other real or personal property owned by Defendant(s). The City shall be entitled to collect all costs incurred in recording and satisfying such lien, pursuant to Chapter 162, Florida Statutes.
4. A certified copy of this Order shall be recorded in the public records of Miami-Dade County and shall constitute a lien pursuant to Section 2-111, City Code and Section 162.09, Florida Statutes. Pursuant to Chapter 2-269, Code of Ordinances of the City of North Miami, all liens levied against property by the city shall become a lien to the same extent and character as a lien for special improvements, and with the same priorities, penalties, rights of collection, foreclosure, sale and forfeiture as obtained for special assessment liens.

**DONE AND ORDERED** at the Chambers of the Code Enforcement Special Magistrate, City of North Miami, Miami-Dade County, Florida, this 15th day of January, 2015.

CITY OF NORTH MIAMI, FLORIDA,

By: [Signature]  
CODE ENFORCEMENT SPECIAL MAGISTRATE

ATTEST:

[Signature]

Pilar Diaz, Clerk to the Special Magistrate

STATE OF FLORIDA            )  
                                          ) §§  
COUNTY OF MIAMI-DADE    )

I hereby certify that on this day, before me, appeared Pilar Diaz, to me personally known, who acknowledged that she is the Clerk to the Special Magistrate of the City of North Miami ("City"), a Florida municipal corporation, and that this instrument was signed for the purposes contained on behalf of the City and by the authority of the City.

Sworn to and subscribed before me this 15th day of January, 2015.

My Commission Expires:



BRENDA LEE  
NOTARY PUBLIC, STATE OF FLORIDA  
EXPIRES: April 6, 2015  
Bonded thru Budget History Services

[Signature]  
NOTARY PUBLIC, STATE OF FLORIDA

Space for Certification by City Clerk, City of North Miami:

**CERTIFICATION**  
I certify this to be a true and correct copy of the record in my office.  
WITNESSETH my hand and official seal of the City of North Miami, Florida, this 20th day of January, 2015.  
[Signature], Deputy City Clerk

Copies Furnished To: Case File  
Defendant(s)

**EXHIBIT**  
**“D”**

Return to:  
Code Compliance Unit  
City of North Miami  
776 N.E. 125th Street  
North Miami, FL 33161



CFN 2015R0241428  
Dir. Bl: 29578 Pgs 3419 - 34201 (2pgs)  
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MIAMI-DADE COUNTY, FLORIDA

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## Office of the Code Enforcement Special Magistrate

776 N.E. 125th Street, North Miami, FL 33161

Case #: CEJNK-2014-00128

**CITY OF NORTH MIAMI,**  
Plaintiff,  
vs.

**IRVING J DENMARK TR, OR CURRENT PROPERTY OWNER(S)**  
Defendant(s).

### Order Imposing Fine And Authorizing Lien

Name of Violator: **IRVING J DENMARK TR, OR CURRENT PROPERTY OWNER(S)**

Violation Address: **645 NW 123 ST**

Folio Number: **0621250181760**

Legal Description: **25 52 41ALHAMBRA HEIGHTS PB 17-54 LOTS 28 & 29 BLK  
28 LOT SIZE 100.000 X 135**

**THIS MATTER** was heard by the Special Magistrate of the City of North Miami, Florida upon notification by the Code Enforcement Officer that a violation pursuant to Section 10-19 of the Code of the City of North Miami, and Section 162.09, Florida Statutes, has occurred and the hereby orders as follows:

- 1. IRVING J DENMARK TR, OR CURRENT PROPERTY OWNER(S)** was found guilty of violating Section 10-19 of the Code of Ordinances of the City of North Miami, **JUNK ON PROPERTY**
- Pursuant to the power vested in the Special Magistrate by virtue of Section 162.09, F.S., and the Code of Ordinances of the City of North Miami, as amended, a fine of \$100.00 per day commencing 03/04/2015, is hereby assessed. There is also assessed interest and other costs, including costs incurred in the prosecuting of the case before the Special Magistrate as provided by law.
- Said fine and cost are hereby declared to be a lien against the land on which the violation exists and upon any other real or personal property owned by the defendant(s), and shall continue to accrue for each day the violation continues. The City of North Miami shall be entitled to collect all costs incurred in recording and satisfying such lien, pursuant to Chapter 162, Florida Statutes.

**UPON COMPLIANCE, IT IS THE DEFENDANT(S) RESPONSIBILITY TO NOTIFY THE CODE ENFORCEMENT OFFICER OF THE CITY IN ORDER TO OBTAIN A COMPLIANCE INSPECTION TO STOP THE FINE FROM RUNNING.**

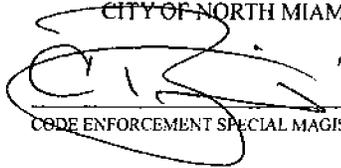
- In determining the amount of the fine, the Code Enforcement Special Magistrate has considered the following factors:
  - The gravity of the violation;
  - Any actions taken by the Defendants(s) to correct the violation; and
  - Any previous violations committed by the Defendant(s).

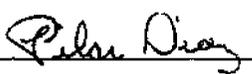
OR BK 29578 PG 3420  
LAST PAGE

5. A certified copy of this Order shall be recorded in the public records and shall constitute a lien pursuant to Section 162.09, F.S., and may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes.

6. In the event further proceedings are initiated by the Code Enforcement Officer, the Code Enforcement Special Magistrate reserves the right to subpoena defendant(s) and to assess additional fines and take whatever steps are necessary to bring a violation into compliance.

**DONE AND ORDERED** at the Office of the Code Enforcement Special Magistrate, at the City of North Miami, Miami-Dade County, Florida, this 04 day of March, 2015.

CITY OF NORTH MIAMI  
  
CODE ENFORCEMENT SPECIAL MAGISTRATE

ATTEST:  
  
CLERK

**ACKNOWLEDGEMENT**

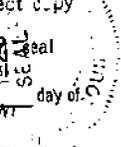
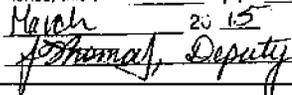
On this 4<sup>th</sup> day of March, 2015, the Code Enforcement Special Magistrate, and the Clerk of the Code Enforcement Special Magistrate, personally appeared before me and acknowledged the execution of this Order. Both aforementioned persons are personally known to me.

  
Signature, Notary Public, State of Florida

NOTARY PUBLIC-STATE OF FLORIDA  
Alan P. Graham  
Commission # EE082854  
Expires: APR. 14, 2015  
BONDED THRU ATLANTIC BONDING CO., INC.

**CERTIFICATION**

Space for Certification of Document by City Clerk:

I certify this to be a true and correct copy of the record in my office.  
WITNESS my hand and official seal of the City of NORTH MIAMI, Florida, this 17<sup>th</sup> day of March, 2015.  
  
  
Deputy City Clerk

Copies Furnished to: Defendant(s)  
Case File  
Lien Clerk, City of North Miami

# **EXHIBIT**

**“E”**

Return to:

Code Compliance Unit  
City of North Miami  
776 N.E. 125th Street  
North Miami, FL 33161



CFN 2015R0744571  
OR BK 29863 Pgs 438-439 (2Pgs)  
RECORDED 11/23/2015 09:43:02  
HARVEY RUVIN, CLERK OF COURT  
MIAMI-DADE COUNTY, FLORIDA

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**Office of the Code Enforcement Special Magistrate**

776 N.E. 125th Street, North Miami, FL 33161

Case #: **CEAPV-2014-00008**

**CITY OF NORTH MIAMI,**  
Plaintiff,

vs.

**IRVING J DENMARK TR, OR CURRENT PROPERTY OWNER(S)**

Defendant(s).

**Order Imposing Fine And Authorizing Lien**

Name of Violator: **IRVING J DENMARK TR, OR CURRENT PROPERTY OWNER(S)**

Violation Address: **645 NW 123 ST**

Folio Number: **0621250181760**

Legal Description: **25 52 41ALHAMBRA HEIGHTS PB 17-54LOTS 28 & 29 BLK  
28LOT SIZE 100.000 X 135**

**THIS MATTER** was heard by the Special Magistrate of the City of North Miami, Florida upon notification by the Code Enforcement Officer that a violation pursuant to Section 12-30 of the Code of the City of North Miami, and Section 162.09, Florida Statutes, has occurred and the hereby orders as follows:

- 1. IRVING J DENMARK TR, OR CURRENT PROPERTY OWNER(S) was found guilty of violating Section 12-30 of the Code of Ordinances of the City of North Miami, .ABANDONED/VACANT PROPERTY VIOLATIONS
- 2. Pursuant to the power vested in the Special Magistrate by virtue of Section 162.09, F.S., and the Code of Ordinances of the City of North Miami, as amended, a fine of \$100.00 per day commencing 11/04/2015, is hereby assessed. There is also assessed interest and other costs, including costs incurred in the prosecuting of the case before the Special Magistrate as provided by law.

3. Said fine and cost are hereby declared to be a lien against the land on which the violation exists and upon any other real or personal property owned by the defendant(s), and shall continue to accrue for each day the violation continues. The City of North Miami shall be entitled to collect all costs incurred in recording and satisfying such lien, pursuant to Chapter 162, Florida Statutes.

UPON COMPLIANCE, IT IS THE DEFENDANT(S) RESPONSIBILITY TO NOTIFY THE CODE ENFORCEMENT OFFICER OF THE CITY IN ORDER TO OBTAIN A COMPLIANCE INSPECTION TO STOP THE FINE FROM RUNNING.

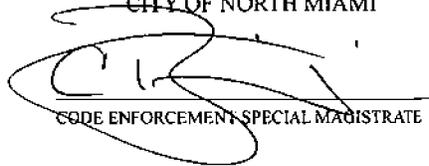
4. In determining the amount of the fine, the Code Enforcement Special Magistrate has considered the following factors:

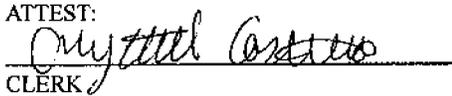
- (a) The gravity of the violation;
- (b) Any actions taken by the Defendants(s) to correct the violation; and
- (c) Any previous violations committed by the Defendant(s).

5. A certified copy of this Order shall be recorded in the public records and shall constitute a lien pursuant to Section 162.09, F.S., and may be enforced in the same manner as a court judgement by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgement except for enforcement purposes.

6. In the event further proceedings are initiated by the Code Enforcement Officer, the Code Enforcement Special Magistrate reserves the right to subpoena defendant(s) and to assess additional fines and take whatever steps are necessary to bring a violation into compliance.

**DONE AND ORDERED** at the Office of the Code Enforcement Special Magistrate, at the City of North Miami, Miami-Dade County, Florida, this 04 day of November, 2015.

CITY OF NORTH MIAMI  
  
CODE ENFORCEMENT SPECIAL MAGISTRATE

ATTEST:  
  
CLERK

**ACKNOWLEDGEMENT**

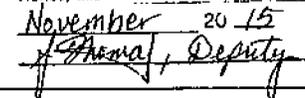
On this 9<sup>th</sup> day of November, 2015, the Code Enforcement Special Magistrate, and the Clerk of the Code Enforcement Special Magistrate, personally appeared before me and acknowledged the execution of this Order. Both aforementioned persons are personally known to me.

  
Signature, Notary Public, State of Florida

 **BRENDA LEE**  
MY COMMISSION #FF 186969  
EXPIRES: April 8, 2019  
Bonded thru Budget Notary Services

**CERTIFICATION**

Space for Certification of Document by City Clerk:

I certify this to be a true and correct copy of the record in my office.  
WITNESSED by my hand and official seal of the City NORTH MIAMI Florida, this 9<sup>th</sup> day of November, 2015  
 Deputy City Clerk

Copies Furnished to: Defendant(s)  
Case File  
Lien Clerk, City of North Miami

# **EXHIBIT**

**“F”**

Code Compliance Unit  
City of North Miami  
776 N.E. 125th Street  
North Miami, FL 33161



CFN 2016R0458451  
OR BK 30181 Pgs 4343-4344 (2Pgs)  
RECORDED 08/05/2016 15:48:32  
HARVEY RUVIN, CLERK OF COURT  
MIAMI-DADE COUNTY, FLORIDA

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**Office of the Code Enforcement Special Magistrate**

776 N.E. 125th Street, North Miami, FL 33161

Case #: CENUS-2016-00052

**CITY OF NORTH MIAMI,**  
Plaintiff,

vs.

**IRVING J DENMARK TR. OR CURRENT PROPERTY OWNER(S)**

Defendant(s).

**Order Imposing Fine And Authorizing Lien**

Name of Violator: **IRVING J DENMARK TR, OR CURRENT PROPERTY OWNER(S)**

Violation Address: **645 NW 123 ST**

Folio Number: **0621250181760**

Legal Description: **25 52 41ALHAMBRA HEIGHTS PB 17-54LOTS 28 & 29 BLK  
28LOT SIZE 100.000 X 135**

**THIS MATTER** was heard by the Special Magistrate of the City of North Miami, Florida upon notification by the Code Enforcement Officer that a violation pursuant to Section 12-19 of the Code of the City of North Miami, and Section 162.09, Florida Statutes, has occurred and the hereby orders as follows:

1. IRVING J DENMARK TR, OR CURRENT PROPERTY OWNER(S) was found guilty of violating Section 12-19 of the Code of Ordinances of the City of North Miami, .NUISANCE PROHIBITED
2. Pursuant to the power vested in the Special Magistrate by virtue of Section 162.09, F.S., and the Code of Ordinances of the City of North Miami, as amended, a fine of \$200.00 per day commencing 08/15/2016, is hereby assessed. There is also assessed interest and other costs, including costs incurred in the prosecuting of the case before the Special Magistrate as provided by law.
3. Said fine and cost are hereby declared to be a lien against the land on which the violation exists and upon any other real or personal property owned by the defendant(s), and shall continue to accrue for each day the violation continues. The City of North Miami shall be entitled to collect all costs incurred in recording and satisfying such lien, pursuant to Chapter 162, Florida Statutes.

UPON COMPLIANCE, IT IS THE DEFENDANT(S) RESPONSIBILITY TO NOTIFY THE CODE ENFORCEMENT OFFICER OF THE CITY IN ORDER TO OBTAIN A COMPLIANCE INSPECTION TO STOP THE FINE FROM RUNNING.

4. In determining the amount of the fine, the Code Enforcement Special Magistrate has considered the following factors:
  - (a) The gravity of the violation;
  - (b) Any actions taken by the Defendants(s) to correct the violation; and
  - (c) Any previous violations committed by the Defendant(s).

5. A certified copy of this Order shall be recorded in the public records and shall constitute a lien pursuant to Section 162.09, F.S., and my be enforced in the same manner as a court judgement by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgement except for enforcement purposes.

6. In the event further proceedings are initiated by the Code Enforcement Officer, the Code Enforcement Special Magistrate reserves the right to subpoena defendant(s) and to assess additional fines and take whatever steps are necessary to bring a violation into compliance.

DONE AND ORDERED at the Office of the Code Enforcement Special Magistrate, at the City of North Miami, Miami-Dade County, Florida, this 06 day of July, 2016.

DR BK 30181 PG 4344  
LAST PAGE

CITY OF NORTH MIAMI

*Beatrice Lopez*  
CODE ENFORCEMENT SPECIAL MAGISTRATE

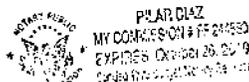
ATTEST:

*[Signature]*  
CLERK

ACKNOWLEDGEMENT

On this 06 day of July, 2016, the Code Enforcement Special Magistrate, and the Clerk of the Code Enforcement Special Magistrate, personally appeared before me and acknowledged the execution of this Order. Both aforementioned persons are personally known to me.

*[Signature]*  
Signature, Notary Public, State of Florida



Space for Certification of Document by City Clerk:

**CERTIFICATION**  
I certify this to be a true and correct copy of the record in my office.  
WITNESSETH my hand and official seal of the City of NORTH MIAMI Florida, this the 12th day of July, 2016  
*[Signature]*, Deputy City Clerk

Copies Furnished to: Defendant(s)  
Case File  
Lien Clerk, City of North Miami