

BEFORE THE SPECIAL MASTER OF DESOTO COUNTY

DESOTO COUNTY

Petitioner,

vs.

CASE NO. SM-CE 24-0895

MARTINEZ KELVYN

Respondents,

TO: MARTINEZ KELVYN
16 N OSCEOLA AVE
ARCADIA FL 34266

RE: 16 N OSCEOLA AVE, ARCADIA FL 34266

NOTICE OF MANDATORY HEARING

1. You are hereby notified that the DeSoto County Development Department has filed an Affidavit of Violation (copy attached) against you for violation of DeSoto County Land Development Regulations, as shown on the Affidavit of Violation.
2. The Special Master hearing has been set for **May 22, 2025 at 11:00 am** or as soon thereafter as this case may be heard, in Room 103, First Floor of the DeSoto County Administration Building, 201 East Oak Street, Arcadia, Florida 34266.
3. If you have cleared the violation by the time stated in the Affidavit of Violation AND have received written notification from the Director of the Department that all the violations have been cleared, the hearing will be canceled and you will not be required to appear.
4. **IT IS YOUR RESPONSIBILITY TO CONTACT THE DESOTO COUNTY CODE ENFORCEMENT DIVISION TO ARRANGE FOR A REINSPECTION OF THE PROPERTY IN ORDER TO VERIFY THAT THE VIOLATIONS HAVE BEEN CORRECTED AND THAT THE PROPERTY HAS BEEN BROUGHT IN TO COMPLIANCE WITH THE APPLICABLE SECTIONS OF THE DESOTO COUNTY LAND DEVELOPMENT REGULATIONS.**
5. Otherwise, you must be present at this hearing to avoid an order being entered against you solely on the evidence to be presented by the petitioner **AND A LIEN BEING RECORDED AGAINST YOUR PROPERTY.** Violations may be fined at the rate of \$250.00 per day of violation.
6. **If the Affidavit of Violation charges you with a Repeat Violation, the matter may be presented to the Special Master even if the repeat violation has been corrected prior to the hearing.** If a violation is found to be a repeat violation, the Special Master may increase the fine to \$500.00 for each day of the repeat violation.
7. In addition to any fines, the amount of the lien may include the costs incurred in prosecuting the case pursuant to Section 162.07(2), F.S., and the reasonable costs which are required to bring the property into compliance pursuant to Section 162.09(1), F.S.
8. If you have witnesses or other evidence bearing on this matter, you should bring them with you at the time of the hearing.
9. If you wish to have witnesses subpoenaed, see the Clerk at once at the DeSoto County Administration Building, 201 East Oak Street, Arcadia, Florida, for assistance.
10. If you wish, you may file an answer denying the allegations of the Affidavit of Violation or alleging substantial facts which would constitute an affirmative defense. Failure to answer shall constitute a denial of the allegations of the Affidavit of violation but shall bar the presentation of evidence of an affirmative defense.
11. If you decide to appeal any decision made by the Special Master, you will need a record of the proceedings, and, for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
12. You may come with or without an attorney.

Dated at Arcadia, DeSoto County, Florida, this _____ day of _____ 2025.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of this notice was mailed to the above Respondent as addressed by: (check one that applies) _____ Certified Mail, Return Receipt Requested/ or _____ Regular U.S Mail on this _____ day of _____, 2025.

Valerie Vicente, County Attorney
Florida Bar Number 71010
201 East Oak Street, Suite 201
Arcadia, Florida 34266
Certified Mailing Number: 9589071052700462269233

BEFORE THE SPECIAL MASTER OF DESOTO COUNTY

DESOTO COUNTY

Petitioner,

vs.

CASE NO. SM-CE 24-0895

MARTINEZ KELVYN

Respondents,

AFFIDAVIT OF VIOLATION
(LDR Sect. 20-1581(b))

STATE OF FLORIDA)
COUNTY OF DESOTO)

Before me, the undersigned authority authorized to administer oaths, personally appeared the undersigned Code Enforcement Officer, who, being first duly sworn, deposes and says the following is true to the best of his/her information and belief:

TO: MARTINEZ KELVYN, 16 N OSCEOLA AVE, ARCADIA FL 34266.

1. An inspection on March 28, 2025, Code Enforcement Officer visited your property located at 16 N OSCEOLA AVE, ARCADIA FL 34266 described and zoned as: CITY

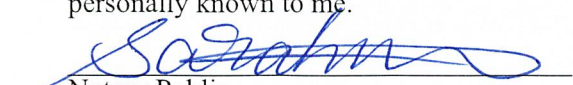
DeSoto County Tax Parcel Number #25-37-24-0012-0330-0010 more particularly described by deed or instrument number #202214005630 of the Official Records of DeSoto County, Florida.

2. **The inspection resulted in the findings that the property is: Expired Building Permit (Development permit required).**
3. These are direct violation of DeSoto County Land Development Regulations: LDR Sec. 20-1342, copies of which are attached hereto.
4. You were previously notified of these violation(s) of the DeSoto County Land Development Regulations by a notice dated November 12, 2024 and served by certified receipt requested/posting.
5. You are hereby notified that you must clear the violation(s): Contact the Desoto County Building department at (863) 993-4811 and renew your permit. Once the permit has been renewed obtain a Certificate of Completion by passing all required inspections prior to expiration of that permit. Please contact our office to get this issue resolved 863-491-6165.
6. Your failure to comply with the terms of this Notice will result in this matter being heard before a Special Master of DeSoto County at the time and place shown on the attached Notice of Mandatory Hearing. Correction delayed until immediately prior to the hearing will not result in cancellation of this hearing. If you fail to correct the violation or if the violation is corrected and recurs, the case may be presented to the Special Master even if the violation has been corrected prior to the hearing.

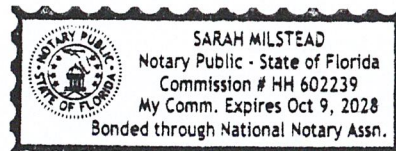


Thomas Turnbull
Code Enforcement Officer
201 E. Oak Street
Arcadia, Florida 34266

Sworn to and subscribed before me this 1st day of April, 2025 Affiant is personally known to me.



Notary Public



Special Master Mandatory Hearing Case Checklist

** This checklist must be completed and accompany each case being turned in for Special Master Mandatory Hearing**

✓ or N/A	Respondents Name <u>Martinez Kelvyn</u> Case # <u>24-0895</u>
	Site Address <u>16 N Osceola Ave</u>
	Respondent's Mailing Address <u>16 N Osceola Ave</u>
✓	Case Notes in date order
✓	Case Cost to date
✓	Property card
✓	Tax Record
✓	Deed Information
✓	Complaint/Request
✓	Copy of LDR or DCCO section to be cited on Notice of Mandatory Hearing
✓	Notice of Mandatory Hearing (file copy)
✓	Green Card if received, and or Track and Confirm information from the USP website
N/A	Original Notice to Correct in the envelope with green card attached if unclaimed
✓	Copy of Notice to Correct that was posted and sent by regular Mail
✓	Photograph of posting, if applicable
✓	Affidavit of posting or hand delivery
✓	Photographs of site visits in support of the case
N/A	Any correspondence to or from the Respondent or the Respondent's representative
✓	Any other supporting documentation (e.g., Division of Corporation information, Certificate of Use issued by Planning and Zoning, copies of permits, R.O.W. forms, etc.)

Information: Any special instructions (IE, if posting affidavit is required, if some of the violations listed on the original Notice have been corrected, if the Hearing Notice needs to be sent to more than one person)

_____ Only the following violations will be referenced in the Notice of Mandatory Hearing:

_____ Will have to be posted and sent by regular mail in addition to the Certified Mail with return receipt.
_____ Will need an Affidavit of posting

Special Instructions

Expired Roof Permit in the City -

Officers' Name Tommy Turnbull

Special Master Hearing on: May 22, 2025

Reviewed by: [Signature]

Date: 3/31/25

SMCE 24-0895

CODE ENFORCEMENT CASE

CASE NUMBER: 24-0895

Name	MARTINEZ KELVYN
Property Address	16 N OSCEOLA AVE
Zoning	CITY- R-3
Violation (1)	LDR 20-1342 EXPIRED BUILDING PERMIT
Violation (2)	0

CASE NOTES

10/17/2024	COMPLAINT RECEIVED
10/29/2024	SITE VISIT IN VIOLATION TOOK PHOTOS
11/8/2024	SITE VISIT IN VIOLATION TOOK PHOTOS
11/12/2024	POSTED N2C TOOK PHOTOS
11/22/2024	PERMIT EXPIRED STILL
1/30/2025	PERMIT EXPIRED STILL
2/4/2025	SITE VISIT IN VIOLATION TOOK PHOTOS
3/28/2025	SITE VISIT IN VIOLATION TOOK PHOTOS
3/31/2025	TURN IN FOR REVIEW

Special Master Order

_____ Violation founded _____ Owner Present _____
Correct violations within __ _days of date of hearing
C & D for two years: __ Yes __ No.
\$ _____ Fine per day, per violation.
Cost of \$ _____ to be paid in _____ days.

CODE ENFORCEMENT COST BREAKDOWN

COPY	Number of copy @ \$.15 per copy	31	\$	4.65
SERVICE	Number of Certified letters @ \$6.11 per letter	1	\$	9.64
LEGAL SERVICE	Number of Certified letters @ \$6.31 per letter	1	\$	9.64
TOTAL			\$	23.93

<u>X</u>	PROPERTY CARD
<u>X</u>	TAX RECORD
<u>X</u>	DEED

Accepted	Rejected
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<u> </u>	N2C GREEN CARD RETURN DATE
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<u> </u>	HEARING GREEN CARD RETURN DATE
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Code Enforcement Case: CE-24-0895

Entered on: 10/18/2024 2:00 PM

Printed on: 04/01/2025

Topic: Expired Building permit within City limits

Status: Open - Turn in for SM

Due Date: 04/01/25

Assigned To: Thomas Turnbull

Initiated by: Building Department

Area #: CITY

Hearing Date: 05/22/2025

Hearing Time: 11:00 am

SM Case No: 24-0895

Permit

Permit #:

Business name:

License #:

Property Location

Occupant Name:

Address: 16 N OSCEOLA AVE , 34266

Phone:

Cell #:

APN : 25-37-24-0012-0330-0010

Owner Information

Owner Name: MARTINEZ KELVYN

Address: 16 N OSCEOLA AVE

ARCADIA, FL 34266

Phone:

Cell #:

Actions

Action	By	Date	Time	Note/Observation
Complaint	Miguel Miranda	10/17/2024	8:05 am	Request 4791-ALISON Building Department(Alison) - PERMIT EXPIRED #BLDR-18104-2023. Building (Residential) - Roof.
Inspection / Site Visit	Miguel Miranda	10/18/2024	9:37 am	Went out to site. Took a picture.
Inspection / Site Visit	Thomas Turnbull	10/29/2024	8:39 am	Talk with Kelvyn wife at the property. Told her about the building permit. They are still working on the roof. Took photo. Gave them a warning.
Inspection / Site Visit	Thomas Turnbull	11/08/2024	8:30 am	The building permit is still expired. Will send a N2C. Took photo.
Notice of Violation	Thomas Turnbull	11/12/2024	7:41 am	> Inspection Time:8:30 am, Send to (Owner - Cert no=9589071052700462267833), Extra days(0)
Mail and Post Notice to Correct Violation	Thomas Turnbull	11/12/2024	8:31 am	Posted the N2C and mail out the letter, Took photos.
Case Notes	Thomas Turnbull	11/22/2024	7:54 am	The building permit is still expired,
Case Notes	Thomas Turnbull	01/30/2025	1:10 pm	The building permit is still expired.
Inspection / Site Visit	Thomas Turnbull	02/04/2025	9:33 am	The building permit is still expired, took photo.
Inspection / Site Visit	Thomas Turnbull	03/28/2025	9:53 am	The building permit for the reroof is still expired. Took photos.
Submitted for Special Master Review and approval	Thomas Turnbull	03/31/2025	3:48 pm	Turn in for review for special master hearing.
Reviewed and approved for Special Master Herring Submittal	Jorge Hernandez	03/31/2025	4:19 pm	Please prepare an affidavit of violation and Notice of Mandatory Hearing for May 22, 2025, Special Master Hearing, and submit for entry into Granicus/Legistar for the County Attorney to review
SM Affidavit of Violation	Thomas Turnbull	04/01/2025	7:35 am	> Instrument No:202214005630,
Notice of Mandatory Hearing	Thomas Turnbull	04/01/2025	7:37 am	Send to (Owner - Cert no=9589071052700462269233)

Proof of Posting

Thomas 04/01/2025 7:40 am Send to (Owner - Cert
Turnbull no=9589071052700462269233)

Violations

#	Violation Type	Due Date	Status	Closed Date
	LDR Sec. 20-1342 - Expired Building Permit (Development permit required)		Open	
1	Corrections Required:Contact the Desoto County Building department at (863) 993-4811 and renew your permit. Once the permit has been renewed obtain a Certificate of Completion by passing all required inspections prior to expiration of that permit			

Additional Addresses

Address Type:Complainant
Name:ALISON Building Department(Alison)
Address:201 East oak St., Suite 204
Arcadia, FL 34266
Phone: Cell #:

Inspection Notes

Date: _____ Time: _____

Findings: _____

DeSoto County Property Appraiser

David A. Williams, CFA

2024 Certified Values
updated: 3/27/2025

Parcel: << 25-37-24-0012-0330-0010 (6439) >>

Owner & Property Info

Result: 4 of 6

Owner	MARTINEZ KELVYN 16 N OSCEOLA AVE ARCADIA, FL 34266		
Site	16 N OSCEOLA AVE, ARCADIA		
Description*	TOWN OF ARCADIA O S S 37 FT LOT 1 & S 37 FT OF W 1/2 OF LOT 2 & ALL LOT 7 BLK 33 IN SEC 31/37/25 INST:200914000729 INST:202014006902 INST:202114007086 INST:202214005630		
Area	0.27 AC	S/T/R	25-37-24
Use Code**	SINGLE FAMILY (0100)	Tax District	1

*The Description above is not to be used as the Legal Description for this parcel in any legal transaction.

**The Use Code is a FL Dept. of Revenue (DOR) code and is not maintained by the Property Appraiser's office. Please contact your city or county Planning & Zoning office for specific zoning information.

Property & Assessment Values

2023 Certified Values		2024 Certified Values	
Mkt Land	\$8,000	Mkt Land	\$8,000
Ag Land	\$0	Ag Land	\$0
Building	\$130,554	Building	\$135,238
XFOB	\$875	XFOB	\$858
Just	\$139,429	Just	\$144,096
Class	\$0	Class	\$0
Appraised	\$139,429	Appraised	\$144,096
SOH/10% Cap	\$0	SOH/10% Cap	\$0
Assessed	\$139,429	Assessed	\$144,096
Exempt	\$0	Exempt	\$0
Total Taxable	county:\$139,429 city:\$139,429 other:\$139,429 school:\$139,429	Total Taxable	county:\$144,096 city:\$144,096 other:\$144,096 school:\$144,096

NOTE: Property ownership changes can cause the Assessed value of the property to reset to full Market value, which could result in higher property taxes.

Sales History

Show Similar Sales within 1/2 mile

Fill out Sales Questionnaire

Sale Date	Sale Price	Book/Page	Deed	V/I	Qualification (Codes)	RCode
7/1/2022	\$210,000	202214005630	WD	I	Q	01
9/17/2021	\$90,000	202114007086	WD	I	Q	01
11/13/2020	\$39,900	202014006902	WD	I	U	38
1/6/2009	\$35,000	200914000729	SW	I	U	12
6/26/2008	\$100	200814006576	CT	I	U	
4/28/2006	\$162,000	580 / 1214	WD	I	Q	

Building Characteristics

Bldg Sketch	Description*	Year Blt	Base SF	Actual SF	Bldg Value
Sketch	SINGLE FAM (0100)	1942	1736	1992	\$134,251

*Bldg Desc determinations are used by the Property Appraisers office solely for the purpose of determining a property's Just Value for ad valorem tax purposes and should not be used for any other purpose.

Extra Features & Out Buildings (Codes)

Code	Desc	Year Blt	Value	Units	Dims
0525	BARN-UC	1955	\$338.00	540.00	30 x 18
0200	BAR-B-Q	1994	\$60.00	1.00	0 x 0
2003	SIDEWALK	1942	\$82.00	131.00	0 x 0
1450	FENCE WD	2015	\$331.00	32.00	0 x 0
1446	FNC PICKET	2015	\$29.00	16.00	0 x 0

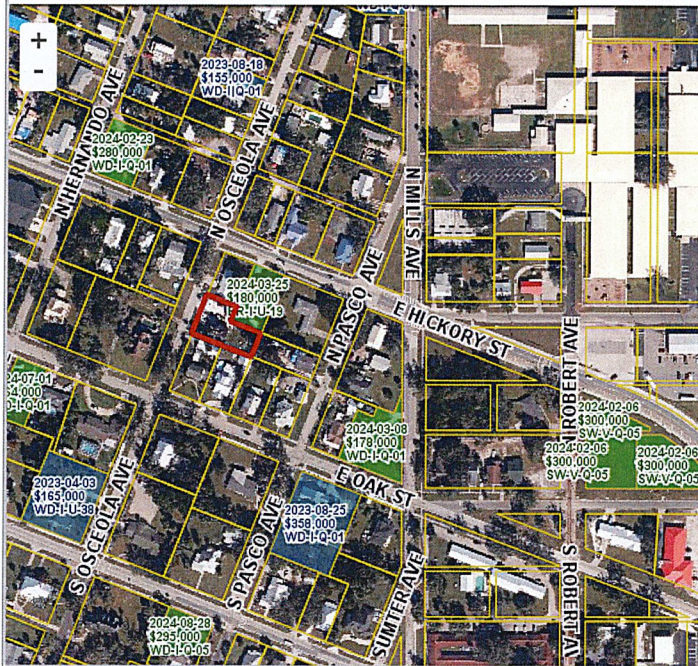
Land Breakdown

Code	Desc	Units	Adjustments	Eff Rate	Land Value	* Zoning
0100	SFR (MKT)	1.000 UT (0.270 AC)	1.0000/1.0000 1.0000/ /	\$8,000 /UT	\$8,000	R-3

* The Property Appraiser's Office is NOT responsible for the zoning codes. For more information about Zoning, please contact the appropriate Planning & Zoning office for your area. City of Arcadia office: 863-494-4114 -or- DeSoto County office: 863-993-4806

Aerial Viewer Building Photo Google Maps

2024 2023 2020 2017 Sales



Search Result: 4 of 6

MARTINEZ KELVYN
16 N OSCEOLA AVE
ARCADIA, FL 34266

25-37-24-0012-0330-0010

[illegible]

Notice Of AD Valorem Taxes & Non-AD Valorem Assessments

Bill # R 584600 2024

R 25-37-24-0012-0330-0010

REAL ESTATE TAX/NOTICE RECEIPT FOR DESOTO COUNTY

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	TAX AMOUNT
DESOTO COUNTY	.0076153	\$1,097.33
SCHOOL LRE	.0030960	\$446.12
SCHOOL DISC	.0022480	\$323.93
CITY OF ARCADIA	.0079000	\$1,138.36
SOUTHWEST WATER MGMT	.0001909	\$27.51
TOTAL AD-VALOREM:		\$3,033.25

NON-AD VALOREM ASSESSMENTS

TAXING AUTHORITY	TAX AMOUNT
Asmt - FIRE RESCUE-ARCADIA	\$77.00
Asmt - SOLID WASTE	\$45.50
TOTAL NON-AD VALOREM:	\$122.50

COMBINED TAXES & ASMTS: **\$3,155.75**

DISCOUNT: **\$0.00**

UNPAID BALANCE: **\$0.00**

MARTINEZ KELVYN
16 N OSCEOLA AVE
ARCADIA , FL 34266

0.270 ACRES
TOWN OF ARCADIA O S
S 37 FT LOT 1 & S 37 FT OF
W1/2 OF LOT 2 & ALL LOT 7 BLK
33 IN SEC 31/37/25

FAIR MKT VALUE **\$144,096.00** DIST **1**

ASSESS **\$144,096.00** EXEMPT VALUE **\$0.00**

TAXABLE VALUE **\$144,096.00**

**** PAID ****

Exemptions:

Last Payment: 11/26/2024 **Receipt Number:** 600717

Property Address:
16 N OSCEOLA AVE ARCADIA 34266

Amount Collected: \$3,029.52 **Discount Amount:** \$0.00

Tax Roll Property Summary

Parcel	Roll Type	Year	Original Gross Tax	Original Assessments	Date Paid	Amount Paid	Total Unpaid
253724001203300010	R	2024	\$3,033.25	\$122.50	11/26/2024	\$3,029.52	\$0.00
253724001203300010	R	2023	\$2,975.72	\$122.50	11/29/2023	\$2,974.29	\$0.00
253724001203300010	R	2022	\$2,839.29	\$122.50	11/28/2022	\$2,843.32	\$0.00
253724001203300010	R	2021	\$1,184.89	\$122.50	7/18/2022	\$1,519.28	\$0.00
253724001203300010	R	2020	\$620.56	\$122.50	11/16/2020	\$713.34	\$0.00
253724001203300010	R	2019	\$621.79	\$122.50	4/29/2020	\$766.62	\$0.00
253724001203300010	R	2018	\$621.92	\$122.50	4/1/2019	\$744.42	\$0.00
253724001203300010	R	2017	\$620.35	\$122.50	4/2/2018	\$742.85	\$0.00
253724001203300010	R	2016	\$621.48	\$122.50	1/3/2017	\$729.10	\$0.00
253724001203300010	R	2015	\$627.45	\$122.50	11/30/2015	\$719.95	\$0.00
253724001203300010	R	2014	\$621.51	\$122.50	12/1/2014	\$714.25	0.00



SUNBELT
TITLE AGENCY

Prepared by: Sarah Papadakis
Sunbelt Title Agency
Return to: 500 N. Westshore Blvd., Suite 850
Tampa, FL 33609
File Number: 1750522-02308

[Space Above This Line For Recording Data]

This Warranty Deed

Made this 1st day of July, 2022 by Norman Bernier, A Married Man, hereinafter called the Grantor, to Kelvyn Martinez, A Married Man, whose post office address is: 16 N Osceola Avenue, Arcadia, FL 34266, hereinafter called the Grantee:

(Whenever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situated in Desoto County, Florida, viz:

The South 37 feet of Lot 1 and the South 37 feet of the West 1/2 of Lot 2 and all of Lot 7, Block 33, of the ORIGINAL SURVEY OF ARCADIA, FLORIDA, according to the plat thereof, recorded in Plat Book 1, Page 22, of the Public Records of Desoto County, Florida.

Parcel Identification Number: 25-37-24-0012-0330-0010

Said property is not the homestead of the Grantor(s) under the Laws and Constitution of the State of Florida in that neither Grantor(s) nor any member of the household of Grantor(s) reside thereon.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances. Subject to covenants, restrictions, easements of record and taxes for the current year and subsequent years.

In Witness Whereof, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Witness: (Signature)

Print Name: Joshua Mestas

Norman Bernier
173 El Paso Ct,
Cripple Creek, CO 80813

Witness: (Signature)

Print Name: Pamela J Cibula

State of Colorado
County of Teller

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 29 day of June, 2022, by Norman Bernier, who: ☒ is personally known to me or ☐ produced _____ as identification.

NOTARY PUBLIC (signature)
Print Name: Joshua Michael Mestas
My Commission Expires: 06/17/2026
Stamp/Seal:



Customer Information

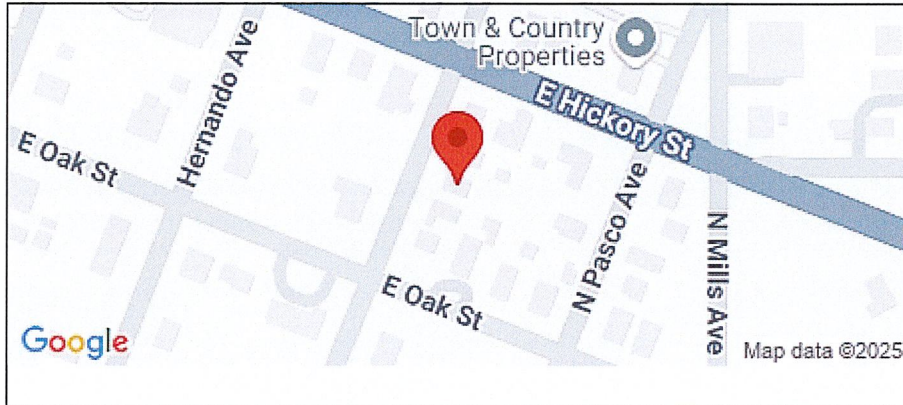
Name: Alison Shuman Building
Department
Address: 201 East oak St., Suite 204
Arcadia, FL 34266

Phone: (863) 993-4811
Alt. Phone:
Email: building@desotobocc.com

Request Classification

Topic: Expired Building Permit
Status: Closed
Assigned to: Miguel Miranda
Property Address: 16 N Osceola Ave

Request type: Complaint
Priority: Normal
Entered Via: Email



Time of Day:
Property APN:
Property APN: 25-37-24-0012-0330-0010

Description

PERMIT EXPIRED #BLDR-18104-2023. Building (Residential) - Roof.

Reason Closed

Turned into a code case. CE-24-0895

Date Expect Closed: 11/01/2024

Date Closed: 10/18/2024 2:01 PM **By:** Miguel Miranda

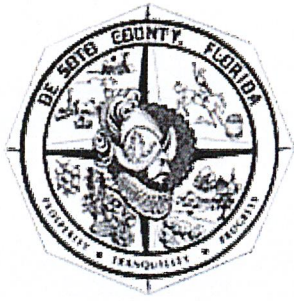
Enter Field Notes Below

Notes:

Sec. 20-1342. - Development permit required prior to undertake any development activity.

Development is the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels. No development activity shall be undertaken unless authorized by a development order or development permit.

(LDR, § 12002; Ord. No. 2012-01, § 12002, 5-22-2012)



COUNTY DEVELOPMENT DEPARTMENT
DESOTO COUNTY

201 East Oak Street, Suite 204
Arcadia, Florida 34266
Telephone (863)491-6165
Fax (863)491-6163



NOTICE to CORRECT VIOLATION

MARTINEZ KELVYN
16 N OSCEOLA AVE
ARCADIA, FL 34266

RE: 16 N OSCEOLA AVE
PIN #: 25-37-24-0012-0330-0010
Case No: CE-24-0895

Date: November 12, 2024

Please be advised that this letter serves as notice that your property was visited due to a complaint or as a result of a routine area patrol and was found to be in violation of the below listed Ordinance(s):

LDR Sec. 20-1342 Expired Building Permit (Development permit required): It has been reported that an building permit has expied without having been completed and inspected by the County.

Facts constituting violation (including date, time, and place of violation): On November 8, 2024 at 8:30 am, the property located at 16 N OSCEOLA AVE was visited and revealed the following:

The building permit for the roof has expired, need to renew and final the permit.

You must correct the violation(s) by taking the appropriate steps.

Contact the Desoto County Building department at (863) 993-4811 and renew your permit. Once the permit has been renewed obtain a Certificate of Completion by passing all required inspections prior to expiration of that permit **Due by: November 22, 2024**

Failure to correct the violation(s) may result in a citation being issued to you for a civil infraction which would be heard by a county court judge or violations as alleged in this notice to correct may be heard by a Special Magistrate. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate if the violation has been corrected prior to the Hearing.

If found to be in violation, a fine may be imposed of up to \$250.00 per day per violation for a first time violator, and up to \$500.00 per day per violation for a repeat violation.

If you feel that you are not in violation, you may submit a request in writing to this department for a hearing before the Special Magistrate. If, as a result of the hearing, it is determined that your property is not in violation, case cost would not be assessed.

If you have any questions concerning this matter, please contact Code Enforcement at 201 East Oak Street, Suite 204, Arcadia, FL 34266, Telephone number (863) 491-6165 or (863) 993-4806.

Sincerely

Thomas Turnbull
Code Enforcement Officer

Certified Mailing Number: 9589071052700462267833

Tracking Number:

Remove X

9589071052700462267833

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Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 12:12 pm on November 14, 2024 in ARCADIA, FL 34266.

Get More Out of USPS Tracking:

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Feedback

Delivered

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ARCADIA, FL 34266

November 14, 2024, 12:12 pm

See All Tracking History

[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package) (<https://faq.usps.com/s/article/Where-is-my-package>)

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USPS Tracking Plus®



Product Information



See Less ^





COUNTY DEVELOPMENT DEPARTMENT
DESO TO COUNTY

201 East Oak Street, Suite 204
Arcadia, Florida 34266
Telephone (863)491-6165
Fax (863)491-6163

NOTICE to CORRECT VIOLATION

MARTINEZ KELVYN
16 N OSCEOLA AVE
ARCADIA, FL 34266

RE: 16 N OSCEOLA AVE
PIN #: 25-37-24-0012-0330-0010
Case No: CE-24-0895

Date: November 12, 2024

Please be advised that this letter serves as notice that your property was visited due to a complaint or as a result of a routine inspection and was found to be in violation of the below listed Ordinance(s):

Code Book 20-1347 Enforced Building Permit (Development permit required): It has been reported that a building permit has expired without having been completed and inspected by the County.

Each continuing violation (including date, time, and place of violation): On November 8, 2024 at 8:19 am, the property located at **16 N OSCEOLA AVE**, was visited and revealed the following:

The building permit for the roof has expired, need to renew and final the permit.

You can correct the violation(s) by taking the appropriate steps.

Contact the Desoto County Building department at (863) 991-4811 and renew your permit. Once the permit has been renewed obtain a Certificate of Completion to guide all required inspections prior to expiration of that permit.

Due by: November 22, 2024

Failure to correct the violation(s) may result in a citation being issued to you for a civil infraction which would be heard by a county court judge or violations as alleged in this notice for correction may be heard by a Special Magistrate if the violation is corrected and then returns or if the violation is not corrected by the time specified for correction by the county court judge, the case may be presented to the Special Magistrate if the violation has been corrected prior to the hearing.

If found to be in violation, a fine may be imposed of up to \$200.00 per day per violation for a first time violator, and \$500.00 per day per violation for a repeat violator.

If you feel that you are not in violation, you may request a hearing in this department for a hearing before the Special Magistrate. If, as a result of the hearing, it is determined that your property is not in violation, case cost will be waived.

If you have any questions concerning this matter, please contact Code Enforcement at 201 East Oak Street, Suite 204, Arcadia, FL 34266. Telephone number (863)491-6165 or (863)491-1506.

Printed Name: *[Signature]*
Code Enforcement Officer
Desoto County Building Department
Code Enforcement Officer: 99007103230460267833

11/12/2024 08:31

TOMMY TURNBULL
16 N OSCEOLA AVE



COUNTY DEVELOPMENT DEPARTMENT
DESO TO COUNTY

201 East Oak Street, Suite 204
Arcadia, Florida 34266
Telephone (863)491-6165
Fax (863)491-6163

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MARTINEZ KELVYN
16 N OSCEOLA AVE
ARCADIA, FL 34266

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Printed Name: *[Signature]*
Code Enforcement Officer
Desoto County Building Department
Code Enforcement Officer: 99007103230460267833

11/12/2024 08:31

TOMMY TURNBULL
16 N OSCEOLA AVE



COUNTY DEVELOPMENT DEPARTMENT
DESOTO COUNTY

201 East Oak Street, Suite 204
Arcadia, Florida 34266
Telephone (863)491-6165
Fax (863)491-6163

**STATE OF FLORIDA
COUNTY OF DESOTO**

I, Thomas Turnbull, duly sworn, deposes and says: That on 11-12-24 @ 8:31 Am, I posted a true and correct copy of the Notice to Correct Violation addressed to:

OWNER
MARTINEZ KELVYN
16 N OSCEOLA AVE
ARCADIA, FL 34266

at the following location(s): 16 N OSCEOLA AVE

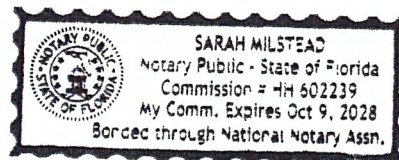
I declare under penalty of perjury that the foregoing is true and correct.

DATE: November 12, 2024

affiant

Sworn to and subscribed before me this November day of 12, 2024 by
Thomas Turnbull who is personally known OR Produced Identification

Notary Public







02/04/2025 09:33

TOMMY TURNBULL
16 N OSCEOLA AVE



11/08/2024 08:30

TOMMY TURNBULL
16 N OSCEOLA AVE



10/29/2024 08:39

TOMMY TURNBULL
16 N OSCEOLA AVE



10/17/2024 09:37

MIGUEL MIRANDA
16 N OSCEOLA AVE

BLDR ~ 18104 ~ 2023

Florida Building Code 7th Edition ♦ National Electric Code 2017 ♦ Florida Fire Prevention Code 7th Edition

DESOTO COUNTY BUILDING DEPARTMENT ♦ PERMIT APPLICATION

201 E. Oak St. Suite #204 ♦ Arcadia, Florida 34266 ♦ Phone: (863) 993-4811 ♦ Fax (863) 491-6163

Lester Hornbake Jr., Building Official ♦ building@desotobocc.com

Owner Kelvin Martinez Phone _____ Contractor _____ Phone _____
Mailing Address 16 N Osceola Ave Mailing Address _____
Email Kmartinez195@gmail.com Email _____
Parcel # _____
Project Street Address 16 N Osceola Ave Arcadia 34266
Directions to Project _____
Description of Project Roof Replacement Power Co ☐ FPL ☐ PEACE RIVER
Intended Use _____ Contract Cost \$ 12,000
Fee Simple Titleholder's Name and Address (If other than the Owner) _____
Bonding Company's Name and Address _____
Architect/Engineer's Name and Address _____
Mortgage Lender's Name and Address _____

Desoto County Ordinance number 2006-35 dictates that prior to a building permit being issued for the construction or renovation of any structure, the applicant shall provide for the collection and disposal of any construction and demolition debris. No permit will be issued until one of the two following methods is chosen.

1. The applicant may choose to enter into a contract with the franchisee of the county. (Womack Sanitation Inc.)
2. The applicant may self-haul their own waste to an authorized landfill using the applicants equipment and bona fide staff personnel of the applicant.

I choose to (please initial next to your selection):

1. Use County Franchisee – attach contract with Womack Sanitation Inc.
2. I will self-haul – I will dispose of all construction and demolition debris at a licensed disposal facility. You will be required to show evidence of proper disposal upon request of code enforcement or any other county department.

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.

NO CODE
By initialing here, I certify that this permit is being applied for *as a result of a Stop Work Order being issued, or a Code Enforcement Case*, and that all work on the site has ceased. I certify that work will not recommence until a permit has been issued.

OWNERS AFFIDAVIT: I certify that all the forgoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

Owner & Contractor must both sign below if contract amount exceeds \$2,500 unless the contract is for HVAC at a cost of \$15,000 or less. If Notice of Commencement has been signed by owner and submitted prior to, or with, this application, owner's signature is not required on this application form.

BE ADVISED THAT FLORIDA STATUTE 837.06 MAKES IT AS MISDEMEANOR TO GIVE FALSE INFORMATION TO A PUBLIC OFFICIAL. IF THE INFORMATION PROVIDED ON THIS FORM IS FALSE OR CHANGES, YOU MUST IMMEDIATELY PROVIDE CORRECTED INFORMATION TO THE OFFICIAL OR OFFICE THAT PROVIDED YOU WITH THIS FORM.

Owner Signature [Signature] Date 08/31/2023

Contractor Signature _____ Date _____

STATE OF FLORIDA, COUNTY OF DESOTO
Sworn to (or affirmed) and subscribed before me by means of [☒]
physical presence or [☐] online notarization, this 31 day
of August, 2023, by Kelvin Martinez

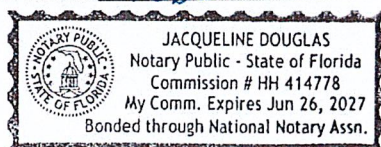
STATE OF FLORIDA, COUNTY OF _____
Sworn to (or affirmed) and subscribed before me by means of [☐]
physical presence or [☐] online notarization, this _____ day
of _____, 20____, by _____

Notary Signature Jacqueline Douglas Jacqueline Douglas

Notary Signature _____

Personally Known _____ OR Produced Identification ☒
Type of Identification Produced FLDL

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____





DeSoto County BOCC
Development Department
Building
201 E. Oak St., Suite 204
Arcadia, FL 34266

Permit

Permit NO. **BLDR-18104-2023**

Permit Type: **Building (Residential)**

Work Classification: **Roof**

Permit Status: **Issued**

Issue Date: **08/31/2023**

Expiration: **02/27/2024**

Location Address

16 N OSCEOLA AVE AVE, ARCADIA, FL

Parcel Number

25-37-24-0012-0330-0010

Contacts

KELVYN MARTINEZ
16 N OSCEOLA AVE

Owner/Builder

KELVYN MARTINEZ
16 N OSCEOLA AVE

Owner

Description: ROOF REPLACEMENT (Shingle)

Valuation: **\$12,000.00**

Total Sq Feet: **0.00**

Inspection Requests:

(863) 993-4811

Fees	Amount
Notary Fee (Building)*	\$5.00
Roofing Permit (Residential)	\$121.00
Surcharge Fee	\$4.00
Total:	\$130.00

Payments	Amt Paid
Total Fees	\$130.00
Check #	\$130.00
A#:039079;Ref#:352574	
1977	
Amount Due:	\$0.00

Available Inspections:

Inspection Type	
Roof Dry In	
Roof in Progress	
Roof Final	

NOTICE

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In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION. I UNDERSTAND THAT ALL JUNK & DEBRIS OF ANY KIND MUST BE REMOVED FROM THE PROPERTY PRIOR TO THE FINAL INSPECTION, OR A CERTIFICATE OF COMPLETION / CERTIFICATE OF OCCUPANCY (CO) WILL NOT BE ISSUED.

August 31, 2023

Issued By:

Date

Signature of Owner or Authorized Agent

Date



BLDR-18104-2023 (16 N OSCEOLA AVE AVE ARCADIA, FL) ACTIVE HOLDS ▾



Summary



Details



Location



Additional Info



Workflow



Linked Records



Holds (1)



Contacts (1)



Fees (5)



Bonds



Activities (1)



Files (11)



Print Documents



Conditions



Tasks



Internal Notes



Inspection Cases



BLDR-18104-2023 • Building
(Residential)

Location	Project	Apply Date	Work Class	Permit Status
16 N OSCEOLA AVE ARCADIA, FL		08/31/2023	Roof	Expired

\$ 0.

Recent Workflow Activity

Workflow (



Last Completed Action: 346 days ago

Roof Dry In (Inspection)

Scheduled For: 04/19/2024
Assigned To: Michael LaBarre
Status: Passed
Completed On: 04/19/2024



Next Action:

Roof in Progress (Inspection)



Next Action:

Roof Final (Inspection)

Permit Des

ROOF REPLACEMENT

**AMENDMENT TO
INTERLOCAL AGREEMENT
BETWEEN
THE CITY OF ARCADIA
AND
DESOTO COUNTY
FOR
BUILDING OFFICIAL PROGRAM**

THIS AMENDMENT TO THE INTERLOCAL AGREEMENT (hereinafter referred to as the "Amendment") is entered into by and between the **CITY OF ARCADIA**, a municipal corporation organized and existing under the laws of the State of Florida (hereinafter referred to as the "City") and **DESOTO COUNTY**, a political subdivision of the State of Florida (hereinafter referred to as the "County") (hereinafter the City and the County collectively referred to as the "Parties").

RECITALS

WHEREAS, the County and the City have common home rule powers to enforce building codes, contractor licensing and related ordinances; and

WHEREAS, the City, by Ordinance, is required to designate a "Building Official"; and

WHEREAS, by Interlocal Agreement dated August 2, 2011, recorded as Instrument No. 201114016244 in the Official Records of DeSoto County (hereinafter referred to as the "Interlocal Agreement"), the City has designated the County's Building Official as the Building Official for the City; and

WHEREAS, the City wants to expand the services provided to the City by the County's Building Official to include enforcement of expired permit violations within the incorporated City limits; and

WHEREAS, the County agrees to provide these additional services under the terms and conditions set forth herein; and

WHEREAS, this Agreement is authorized under Section 163.01, Florida Statutes; and

NOW, THEREFORE, in consideration of the foregoing Recitals and mutual undertakings and covenants contained herein and assumed, and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the City and County agree as follows:

Section 1. Sections 2 and 3 of the Interlocal Agreement are amended to read as follows:

Section 2 – PERMITTING –

(a) The Building Official is authorized to receive applications for building and construction permits throughout the incorporated and unincorporated areas of DeSoto County, and to determine permit compliance with applicable City and County ordinances and codes. City building and construction ordinances shall apply in the incorporated areas, and the County's building and construction ordinances shall apply in the unincorporated areas of DeSoto County. If in the opinion of the Building Official, a provision of the City building or construction ordinance is not in compliance with the Florida Building Code, then the Building Official shall utilize the applicable County ordinance, or refer matters relating thereto to the City for disposition and handling. This may include citations issued under the County's Demolition of Dilapidated Structures ordinance. However, the City shall be responsible for enforcement of citations issued under the County's Demolition of Dilapidated Structures ordinance for structures within the incorporated City limits.

(b) The Building Official shall assist the City as necessary and upon request to enforce City ordinances concerning nuisances.

(c) Shed and sign applications in the incorporated areas requiring structural and/or electrical permitting, and demolition permits in incorporated areas shall be handled by the Building Official in accordance with County permitting and enforcement requirements.

(d) The Building Official shall be responsible for enforcing expired permit violations for the City within its incorporated areas and for the County within its unincorporated areas in accordance with the County's special master hearing process.

Section 3 – FUNDING –

(a) Funding for the services of the Building Official on behalf of the City under this Agreement shall be from building permit fees, plan review fees, contractor licensing fees, and fees, penalties and award of costs derived from related enforcement actions, including expired permit violations, handled by the Building Official. Building permit fees shall be waived for City owned projects which are 100% City funded. Any fees collected by the Building Official under this Agreement are separate from fees collected by the City. The Building Official shall deposit and remit to the County all fees collected under this Agreement.

(b) The County may revise and amend its fee schedule on an annual or more frequent basis. However, if the City Council objects to the imposition of any new or increased fees on any permit issued or to be issued by the City, the City may immediately

terminate this Agreement. Unless the City Council provides notice of termination, new or increased fees adopted by the County shall apply to permit issued or to be issued in the City under this Agreement.

Section 2 – The Interlocal Agreement remains in effect in accordance with its terms, except as specifically amended herein.

IN WITNESS WHEREOF, the Parties hereto have caused their respective representatives to execute this instrument on their behalf, on the dates set forth below.

CITY OF ARCADIA, FLORIDA

By: Alice Frierson
Alice Frierson, Mayor

Dated: November 6, 2014

ATTEST:

Penny Delaney
City Clerk

Approved as to Form and Correctness:

Thomas J. Wohl
Thomas J. Wohl, City Attorney

DESOTO COUNTY, FLORIDA

By

Elton A. Langford
Elton A. Langford, Chairman

Dated:

Nov 10, 2014

ATTEST:

Mandy J. Hines

Mandy J. Hines, County Administrator

Approved as to Form and Correctness:

Donald D. Conn

Donald D. Conn, County Attorney

July 10, 2011

Inst:201114016244 Date:8/26/2011 Time:2:33 PM
km DC, Mitzie McGavic, Desoto County Page 1 of 6

INTERLOCAL AGREEMENT

BETWEEN

THE CITY OF ARCADIA

AND

DESOTO COUNTY

FOR

BUILDING OFFICIAL PROGRAM

ORIGINAL

**INTERLOCAL AGREEMENT
BETWEEN
THE CITY OF ARCADIA
AND
DESOTO COUNTY
FOR
BUILDING OFFICIAL PROGRAM**

THIS INTERLOCAL AGREEMENT (hereinafter referred to as the "Agreement") is entered into by and between the **CITY OF ARCADIA**, a municipal corporation organized and existing under the laws of the State of Florida (hereinafter referred to as the "City") and **DESOTO COUNTY**, a political subdivision of the State of Florida (hereinafter referred to as the "County") (hereinafter the City and the County collectively referred to as the "Parties").

RECITALS

WHEREAS, the County and the City have common home rule powers to enforce building codes, contractor licensing and related ordinances; and

WHEREAS, the City, by Ordinance, is required to designate a "Building Official"; and

WHEREAS, the City desires to enter into this Agreement with the County for said services and for the designation of the County's Building Official as the Building Official for the City; and

WHEREAS, the County agrees to provide these services under the terms and conditions set forth herein; and

WHEREAS, this Agreement is authorized under Section 163.01, Florida Statutes; and

NOW, THEREFORE, in consideration of the foregoing Recitals and mutual undertakings and covenants contained herein and assumed, and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the City and County agree as follows:

Section 1 – BUILDING OFFICIAL – The County and the City agree that the DeSoto County "Building Official" will be the designated "Building Official" for the City with all of the rights, duties and responsibilities conferred by ordinance and codes of the City. Nothing in this Agreement affects the Building Official's rights, duties and responsibilities under County ordinances and codes, or Chapter 468, Part XII, and Chapter 553, Florida Statutes.

Section 2 – PERMITTING –

(a) The Building Official is authorized to receive applications for building and construction permits throughout the incorporated and unincorporated areas of DeSoto County, and to determine permit compliance with applicable City and County ordinances and codes. City building and construction ordinances shall apply in the incorporated areas, and the County's building and construction ordinances shall apply in the unincorporated areas of DeSoto County. If in the opinion of the Building Official, a provision of the City building or construction ordinance is not in compliance with the Florida Building Code, then the Building Official shall utilize the applicable County ordinance, or refer matters relating thereto to the City for disposition and handling. This may include citations issued under the County's Demolition of Dilapidated Structures ordinance. However, the City shall be responsible for enforcement of citations issued under the County's Demolition of Dilapidated Structures ordinance for structures within the incorporated City limits.

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(b) The County may revise and amend its fee schedule on an annual or more frequent basis. However, if the City Council objects to the imposition of any new or increased fees on any permit issued or to be issued in the City, the City may immediately terminate this Agreement. Unless the City Council provides notice of termination, new or increased fees adopted by the County shall apply to permits issued or to be issued in the City under this Agreement.

Section 4 – TERM – The term of this Agreement shall be for a period of five (5) years, commencing on the date the last Party executes this Agreement, as shown below. Thereafter, it shall automatically renew for successive one (1) year periods. With the exception of immediate termination under the provisions of Section 3(b) hereof, either Party may terminate this Agreement at any time by providing ninety (90) days written notice to the other Party.

Section 5 – HOLD HARMLESS – Each Party to this Agreement shall hold the other harmless for actions taken by the Building Official under the terms of this Agreement.

Section 6 – SEVERABILITY – The provisions of this Agreement are not severable, and if any

provision of this Agreement is held to be unconstitutional or invalid for any reason by a court of competent jurisdiction, this Agreement shall be deemed to be null and void and of no further effect on the Parties.

Section 7 – NOTICE - All notices required hereunder shall be deemed properly delivered when and if personally delivered, or if sent by (a) telegram, (b) telecopy, (c) Federal Express (or a comparable express delivery system), or (d) mailed by registered or certified mail, return receipt requested, postage prepaid, to the Parties as set forth below (notices being deemed given when so deposited in the U.S. Mail):

As to the City: City Administrator
 City of Arcadia
 121 W. Hickory Street
 Arcadia, Florida 34266

As to the County County Administrator
 DeSoto County
 201 E. Oak Street, Ste. 201
 Arcadia, Florida 34266

The Parties hereto may change the person or persons to whom notice is to be delivered by giving notice to the other Party in the manner provided in this Section.

Section 8 – RECORDING – In accordance with Chapter 163.01, the County shall cause this fully executed Agreement to be recorded, at its sole expense, in the Public Records of Desoto County.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the Parties hereto have caused their respective representatives to execute this instrument on their behalf, on the dates set forth below.

CITY OF ARCADIA, FLORIDA

By:

Mayor

Dated:

8/2/11

ATTEST:

City Administrator and Clerk

Approved as to Form and Correctness:

City Attorney

DESOTO COUNTY, FLORIDA

By Ronald P. Nease
Chairman

Dated: 8/2/11

ATTEST:

C. S. May Jr.
County Administrator

Approved as to Form and Correctness:

Paula Romo
County Attorney