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**MEMORANDUM**

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TO: GREGORY J. ORAVEC, CITY MANAGER  
THRU: PAM E. BOOKER, ACTING CITY ATTORNEY *PB*  
FROM: STEFANIE BESKVOYNE, ASSISTANT CITY ATTORNEY *SB*  
DATE: APRIL 2, 2012  
SUBJECT: NUISANCE ABATEMENT  
1758 SW PENROSE AVENUE

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Pursuant to Resolution 11-R87 (attached), the City Council declared 1758 SW Penrose Avenue a public nuisance, and ordered abatement by the owners and / or mortgagees not later than December 21, 2011. The property is unoccupied, and the owners and / or mortgagees have not complied. The City has obtained the attached proposal for abatement of the property. The recommended proposal is for \$ 12,317.85.

The Nuisance Abatement budget for Fiscal Year 2011-12 is \$ 61,400.00. According to MUNIS, the amount remaining as of March 29, 2012, is \$ 49,000.82.

Please place this on the April 9, 2012, agenda for Council consideration. Should you have any questions, or need additional information, please contact me at 873-6332.

SB/liw  
Attach.

*4-9-12*  
*C-C*

*MSD*

**RECEIVED**

APR 03 2012

City Manager's Office

A RESOLUTION DECLARING A PUBLIC NUISANCE AT 1758 SW PENROSE AVENUE, PORT ST. LUCIE, FLORIDA AFTER A SHOW CAUSE HEARING; REQUIRING ABATEMENT OF THE NUISANCE WITHIN A CERTAIN TIME; AUTHORIZING ABATEMENT BY CITY FORCES; PROVIDING FOR THE RECOVERY OF ABATEMENT COSTS AS A SPECIAL ASSESSMENT AGAINST THE PROPERTY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on October 17, 2011, pursuant to Resolution 11–R75 the City Council of the City of Port St. Lucie identified and declared a threat to the health, safety, and general welfare of the community due to conditions located at 1758 SW Penrose Avenue, Port St. Lucie, Florida, said property being more specifically described as:

Lot 3, in Block 1914, South Port St. Lucie Section 19, according to the Plat thereof, as recorded in Plat Book 13, Pages 19, 19A through 19K of the Public Records of St. Lucie County, Florida.

WHEREAS, the apparent title holders/owners of such property Paula E. Hanke and other interested parties, specifically Wells Fargo Bank, N.A, were served with notice of Resolution 11-R75 and provided an order to show cause and hearing date pursuant to Port St. Lucie Code Section 40.17(3); and

WHEREAS, a show cause hearing was held on November 21, 2011 at which time the property owners and mortgagee were given an opportunity to present all evidence and argument as to why such condition(s) should not be declared a public nuisance; and

WHEREAS, on November 21, 2011, the property owner(s) and/or mortgagee failed to show cause why the condition should not be designated a public nuisance; and

WHEREAS, pursuant to Chapter 40, Port St. Lucie City Code, the City Council shall set a reasonable time for the condition to be abated; and

WHEREAS, should the property owner(s) or mortgagee fail to abate the nuisance within the time set forth herein, the City, without further action of Council, is hereby authorized to abate the nuisance with City forces or an independent contractor and record the costs of abatement as a special assessment against the property.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, THAT:

RESOLUTION 11 – R87

Section 1. The conditions at issue violate Port St. Lucie City Code Sections 41.10(b), 41.11(a), and are more fully described as property maintenance of fire damage on exterior and interior of the house.

Section 2. A reasonable time to abate said nuisance **by fixing, repairing, and/or removing the above described issues** is not later than 30 DAYS. When or if the property owner abates the nuisance as directed herein, in order to prevent further action by the City, **it is the responsibility of the property owner or mortgagee to contact the Neighborhood Services Department (Code Enforcement) in writing and request a re-inspection of the property.** If it is found upon re-inspection that the nuisance has been abated as directed herein, no further action will be taken by the City and this matter will be dismissed.

Section 3. In the event the property owner or mortgagee has not abated the nuisance and requested a re-inspection by the date set forth herein, the City may abate the nuisance and the cost of abatement shall be charged against the subject property described herein. Further, pursuant to Chapter 40, Port St. Lucie City Code and all other applicable law, such costs shall constitute a special assessment against the real property. Such special assessment lien shall be coequal with the lien of all state, county, district, and municipal taxes and superior to mortgages and all other liens, irrespective of the date of recording. A failure to pay said assessment, even upon homestead property, may be collected pursuant to any manner specified by law and may result in a loss of title to the property.

Section 4. In the event any specific provision of this Resolution is found invalid, it shall not affect the validity of the remaining provisions.

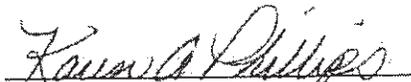
Section 5. This Resolution becomes effective immediately upon its adoption.

RESOLUTION 11 – R87

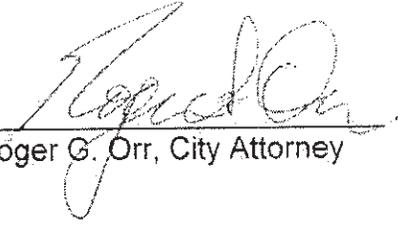
PASSED AND APPROVED by the City Council of the City of Port St. Lucie,  
Florida, this 21<sup>st</sup> day of November, 2011.

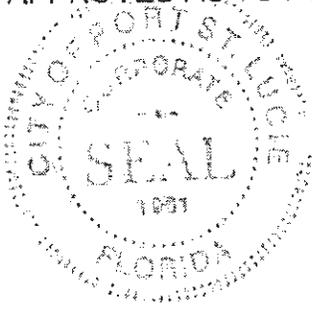
CITY COUNCIL  
CITY OF PORT ST. LUCIE

ATTEST:

  
Karen A. Phillips, City Clerk

By:   
JoAnn M. Faiella, Mayor

APPROVED AS TO FORM:   
Roger G. Orr, City Attorney





# CITY OF PORT ST LUCIE

BUILDING DEPARTMENT

Administration Division

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A CITY FOR ALL AGES

## QUOTE TABULATION

QUOTE # 12NAM1758

RECEIVED: March 21, 2012

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BID TITLE: Complete demolition and removal of structure 1758 SW Penrose Ave

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The following vendor(s) submitted proposals:

<b>Contractors Name</b>	<b>Lump Sum Price</b>	<b># of days for completion</b>	<b># of days to start work after award</b>
LEB Demolition and Consulting Contractors	\$12,317.85	20 days	10 days

\*\*Please see the full proposal/estimate sheet for each quote for description of all that is included. (attached)

NOTE: Offers from vendor listed herein is the only offer received timely as of the above opening date and time. All other offers submitted in response to this solicitation, if any, are hereby rejected.

MAR-16-2012 FRI 10:17 AM

**CITY OF PORT ST LUCIE**BUILDING DEPARTMENT  
Administration Division.....  
A CITY FOR ALL AGES

March 16, 2012

RE: Cover letter for demolition and removal of a house.

Please find attached a copy of the roofing quote per City's Master Contract #20090102.

This is for demolition and removal of a house at 1758 SW Penrose Avenue, Port St Lucie, FL which has been declared a "Nuisance Home" by the City's Legal Department.

The house has been inspected by the City Building Department and it is in very poor condition with extensive fire damage.

**Site Visit will be on Wednesday, March 21 @10:00 AM attended by Scott Ritter, City of Port St Lucie Building Department.****The quote form is to be returned by 1:00:00 PM on Friday, March 23, 2012 to the Building Department, Building B, 121 SW Port St Lucie Blvd, Port St Lucie, FL 34984, Attn: Wendy Russell.**

Any questions please contact me.

Wendy Russell, CPPB  
Budget Specialist  
(772) 873-8367 - P  
(772) 344-4353 - F

MAR-16-2012 FRI 10:17 AM

P. 003

12NAM1758 - 1758 SW Penrose Avenue

Demolition & Removal Quote Form

The City of Port St. Lucie is requested sealed quotes for Demolition and Removal of House to meet all City requirements. This home has been declared a "Nuisance Home" by our Legal Department.

NOTE: THIS REQUEST FOR QUOTE IS ONLY FOR THE FOLLOWING CONTRACTORS WITH MASTER CONTRACTORS WITH THE CITY OF PORT ST. LUCIE:

LEB Demolition & Consulting Contractors Inc.

In accordance with the terms and conditions of Master Contract # 20090102.

Specifications:

Demolition and Removal of House/Garage. Removal of Slabs and/or Footers. Rough Graded where structure was located. Removal of extra trash left in yard. Removal of pool and screen.

- Site visit is required. Inspections shall in no way damage the property.
- All permits are to be paid by the contractor and included in the lump sum.
- Contractor is responsible for all measurements and quantities.

Quote 12NAM1758 - for Demolition and Removal of 1758 SW Penrose Avenue, Port St Lucie, Florida. Quotes will be received until 1:00:00 PM on Friday, March 23, 2012 at the Building Department, Building B, 121 SW Port St Lucie Blvd, Port St Lucie, Florida, 34984, Attn: Wendy Russell.

Site Visit: Wednesday, March 21 @ 10:00 AM

Please provide a breakdown of the pricing on a separate sheet & include with this form.

Quote: 12NAM1758

Company Name: L.E.B Demolition

Number of calendar days needed to complete the repairs:

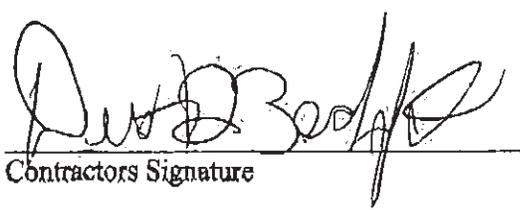
20 DAYS

Number of calendar days needed to start work after award:

10 DAYS

Lump Sum:

\$ 12,317.85

  
Contractors Signature

3-22-12  
Date:

**L.E.B. DEMOLITION & CONSULTING CONTRACTORS, INC.**

12805 SOUTH INDIAN RIVER DRIVE  
JENSEN BEACH, FLORIDA 34957

Phone: (772) 461-4545  
Fax: (772) 461-2225

**PROPOSAL**

March 20, 2012

City of Port St. Lucie  
Building Department  
121 S.W. Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984

Attention: Wendy

Re: Complete demolition and removal of structure  
Location: 1758 S.W. Periwinkle Avenue, Port St. Lucie, Florida

L.E.B. Demolition, Inc. proposes to furnish all labor and equipment for the demolition and removal of debris generated by the above referenced job. All debris will be transported to a class I-III landfill, dump fees shall be included. L.E.B. will send notification to D.E.P.

Scope of Work: Demolition and removal of building, slab, footers, driveway and pool  
Septic will be pumped and removed  
Property will be rough graded where building was removed  
L.E.B. Demolition will furnish demolition permit and asbestos survey  
L.E.B. Demolition will cover any damage that may occur in the public right-of-way  
L.E.B. Demolition will need 20 days, after receiving P.O. for completion of demolition work

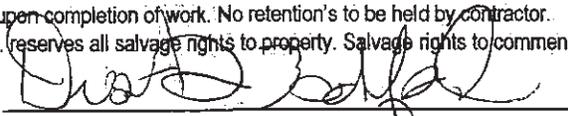
**PLEASE READ EXCLUSIONS**

Exclusions: A.C.M. or lead abatement of any type  
Capping of wells  
Any and all utility disconnects or capping of utilities  
Any unforeseen conditions under slab  
Any and all hazardous and toxic waste

We hereby propose to furnish labor and material - complete in accordance with the above specifications. Any alteration or deviation from above specifications will become an extra charge over and above the estimate.  
This proposal subject to acceptance within seven days and is void thereafter, at the option L.E.B. Demolition, Inc.

For The Sum of: TWELVE THOUSAND THREE HUNDRED THIRTEEN AND 85/100 Dollars \$12,317.85

Payment to be made upon completion of work. No retention's to be held by contractor.  
L.E.B. Demolition, Inc. reserves all salvage rights to property. Salvage rights to commence when job is awarded.

Authorized Signature:   
Dustin Lee Beckford, President

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified.  
Proposal must be signed and returned before any demolition work will begin.

ACCEPTED:  
DATE: \_\_\_\_\_

SIGNATURE \_\_\_\_\_

**L.E.B. DEMOLITION & CONSULTING CONTRACTORS, INC**  
2290 North U.S. 1  
Fort Pierce, Florida 34946

Phone Number 772/242-8575  
Fax Number 772/461-2225

Email: demobucket@mac.com  
Email: jwreckn@aol.com



**FAXED**  
3/21/2012

**Fax Transmittal Form**

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To: Wendy Russell

From: DUSTIN LEE BECKFORD

Name: CITY OF PORT SAINT LUCIE

Date Sent: March 21, 2012

CC:

Phone: 772/876-6367  
<sup>3</sup>

Number of Pages: 2  
(Including Cover Sheet)

Fax: 772/344-4353

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**Message:**

**Proposal**  
1758 S.W. Penrose Avenue