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**MEMORANDUM**

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TO: GREGORY J. ORAVEC, CITY MANAGER  
THRU: ROGER G. ORR, CITY ATTORNEY *RO*  
FROM: STEFANIE BESKOVOYNE, ASSISTANT CITY ATTORNEY *SB*  
DATE: MAY 23, 2012  
SUBJECT: NUISANCE ABATEMENT  
362 SE ATLAS TERRACE

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Pursuant to Resolution 13-R36 (attached), City Council declared 362 SE Atlas Terrace a public nuisance, and ordered abatement by the owners and / or mortgagees not later than April 26, 2012. The property is unoccupied, and the owners and / or mortgagees have not complied. The City has obtained the attached bids for abatement of the property. The recommended lowest bid to demolish this home is for \$13,015.00.

The Legal Department will meet with the Building Department to ensure that no permits have been pulled at this address, and that the owners were properly notified before demolition. The Nuisance Abatement budget for Fiscal Year 2011-12 is \$ 61,400.00. According to MUNIS, the amount remaining as of May 23, 2012, is \$22,092.16. Please place this on the June 11, 2012, agenda for Council consideration. Please do not hesitate to contact me should you have any questions.

SB/liw  
Attach.

**RECEIVED**

MAY 24 2012

City Managers Office

RESOLUTION 12-R36

COUNCIL ITEM 11D  
DATE 3/26/12

A RESOLUTION DECLARING A PUBLIC NUISANCE AT 362 SE ATLAS TERRACE, 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 February 27, 2012, pursuant to Resolution 12-R24 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 362 SE Atlas Terrace, Port St. Lucie, Florida, said property being more specifically described as:

Lot 17 Block 387, St. Lucie Section 24, according to the Plat thereof as recorded in Plat Book 13, Pages 31, 31A through 31C of the Public Records of St. Lucie County, Florida; and

WHEREAS, the apparent title holders/owners of such Jacob Falcon and David Yerushalmi, and other interested parties, specifically Bank of America, N.A, were served with notice of Resolution 12-R24 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 March 26, 2012, 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 March 26, 2012, 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.

RESOLUTION 12-R36

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

Section 1. The conditions at issue violate Port St. Lucie City Code Section(s) 41.08(b), 41.08(d), 41.09(a), 41.09(b), 41.10(b), 41.10(g) and 158.211, and are more fully described as high grass and weeds, damaged fence, unsecured and unmaintained pool, boarded windows, roof in need of repair and open storage.

Section 2. A reasonable time to abate said nuisance **by fixing, repairing, and/or removing the above described issues** is not later than **April 26, 2012**. 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 12-R36

PASSED AND APPROVED by the City Council of the City of Port St. Lucie,  
Florida, this 26th day of March, 2012.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

ATTEST:

*for Karen A. Phillips*  
for Karen A. Phillips, City Clerk

By: *[Signature]*  
John M. Faiella, Mayor

APPROVED AS TO FORM:

*[Signature]*  
Roger G. Orr, City Attorney



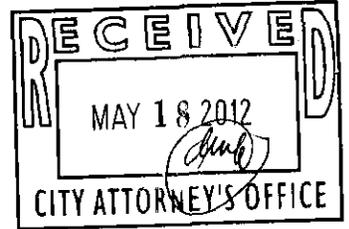
# CITY OF PORT ST LUCIE

BUILDING DEPARTMENT

Administration Division



A CITY FOR ALL AGES



## QUOTE TABULATION

QUOTE # 12NAM1332 362 SE Atlas Terr  
RECEIVED: May 16, 2012

**BID TITLE: Complete demolition and removal of structure 362 SE Atlas Terr**

The following vendor(s) submitted proposals:

Contractors Name	Lump Sum Price
LEB Demolition and Consulting Contractors	\$13,015.00

**\*\*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.**

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

12805 SOUTH INDIAN RIVER DRIVE  
JENSEN BEACH, FLORIDA 34957

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

2290 NORTH U.S. 1  
FORT PIERCE, FLORIDA 34946  
**PROPOSAL**

May 14, 2012

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

**RECEIVED**  
MAY 16 2012

**CPSL-BLDG DEPT  
PURCHASING**

Attention: Wendy

Re: Complete demolition and removal of structure  
Location: 362 S.E. Atlas Terrace, 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.

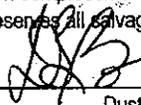
Scope of Work: Demolition and removal of building, slab, footers, driveway and pool  
Septic will be pumped and removed  
Property will be rough graded where building was removed  
L.E.B. Demolition will furnish demolition permit and asbestos survey  
L.E.B. Demolition will cover any damage that may 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: THIRTEEN THOUSAND AND FIFTEEN AND 85/100 Dollars \$13,015.00

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 \_\_\_\_\_



# **CITY OF PORT ST LUCIE**

**BUILDING DEPARTMENT**

*Administration Division*



**A CITY FOR ALL AGES**

May 9, 2012

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

This is for demolition and removal of a house at 362 SE Atlas Terr., 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 structural damage.

**The quote form is to be returned by 1:00:00 PM on Friday, May 18, 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) 873-6367 – P  
(772) 344-4353 – F

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 CONTRACTS 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 Footings. Rough Graded where structure was located. Removal of extra trash left in yard. Removal of pool and screen.

- Site visit is recommended. 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 12NAM1332 – for Demolition and Removal of 362 SE Atlas Terr., Port St Lucie, Florida. Quotes will be received until 1:00:00 PM on Friday, May 18, 2012 at the Building Department, Building B, 121 SW Port St. Lucie Blvd, Port St. Lucie, Florida, 34984, Attn: Wendy Russell.

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

Quote: 12NAM1332

Company Name: \_\_\_\_\_

Lump Sum:

\$ \_\_\_\_\_

Contractors Signature

Date: \_\_\_\_\_