

Nassau County Florida – Code Enforcement Lien Reduction Procedures

The Code Enforcement Board has the authority to recommend a reduction or release of fines and liens. The Nassau County Board of County Commissioners has the authority to reduce fines and liens, pursuant to Florida Statutes Chapter 162 as amended. **An entity requesting a release of lien has no right to the reduction or release of a fine or lien.** In evaluating requests for liens to be released or reduced, the Board of County Commissioners and Code enforcement Board may consider the following:

1. The length of time the property was in violation prior to the lien being placed;
2. Whether the entity requesting the reduction owns other properties in Nassau County and how many have active code enforcement cases or code enforcement liens;
3. Whether the property owner, if different from the entity requesting the release, owns other properties in the County and how many have active code enforcement cases or code enforcement liens;
4. Whether the entity requesting the reduction owned the property for which the lien was placed at the time the lien was placed;
5. Whether the entity requesting the reduction acted promptly to correct the violations for which the lien was placed and the length of time taken to correct the violation(s);
6. Any other specific information which is available about the property or the entity request;
7. Any other factor which may show a hardship on the entity requesting the reduction or which may provide a reasonable basis for the requested relief.

Lien reduction requests already heard by the Code Enforcement Board and the Board of County Commissioners will not be reheard for 180-day period, unless the property ownership changes or unless there is sufficient documentation of new information not previously available.

To be placed on the Code Enforcement Board hearing agenda, an applicant makes a request by submitting the Application for Reduction of Code Enforcement Lien to the Code Enforcement Secretary (**Code Enforcement, Attention: J. Wylie, 96161 Nassau Place, Yulee, FL 32097**). The Code Enforcement Board secretary will mail a confirmation letter to the applicant confirming the meeting date and time. Staff will prepare a report which is provided to the Code Enforcement Board and Board of County Commissioners prior to the meeting.

Lien reduction applications should be submitted at least fifteen (15) days prior to the Code Enforcement Board hearing, scheduled for the second Tuesday of every month, beginning in January each year. The hearing before the Board of County Commissioners shall be scheduled at least thirty (30) days prior to the Board of County Commissioners meeting. A letter will be mailed to the applicant confirming the meeting dates. Those who have requested a lien reduction hearing but are unable to attend the scheduled meeting must notify code enforcement they need to reschedule since **your presence is required for the case to be heard.**

Code Enforcement Board hearing — Applicants must check in with staff. When the case is called, staff will read its report. The applicant will be invited to speak about the request and the status of the property. The Code Enforcement Board may ask questions and will then make a recommendation only as to whether to reduce, remove or leave the lien in place.

Board of County Commissioners hearing — Applicants must check in with staff. When the case is called, staff will read its report. The applicant may speak and present information regarding the request to the Board. The applicant will need to be available to answer questions from staff or the Board. The Board will decide whether to reduce the lien or take no action, thus leaving the lien in place.

If the Board of County Commissioners approves the reduction of a lien, the applicant shall have no more than ten (10) working days from the date of the hearing to make full payment of the reduced lien. Payment shall be in form of cash, cashier's check or money order only. If the lien is not paid within the time allowed, the lien will revert back to the original amount placed on the property by the Code Enforcement Board.

If the Board approves the reduction of a lien and the entity pays the reduced lien, the Code Enforcement Board secretary will complete paperwork to release the lien. The release-of-lien document will be mailed to the applicant after it has been recorded at the Nassau County Clerk of Court.

For additional information, contact the Code Enforcement Board secretary at (904) 530-6200.

I have read and understand the policies and procedures for requesting a lien reduction.

 _____ **Initials**

Reduction of Code Enforcement Lien(s) Request

Application

A request for a reduction of a Code Enforcement lien cannot be considered until the property is in full compliance. Before the application is processed, the property will be inspected to determine compliance. A request for reduction of a Code Enforcement lien also will not be considered if the applicant has any code violations on any other property they hold an interest in and is located within the unincorporated area of Nassau County.

Requests are not scheduled for the Code Enforcement Board hearing until the application has been reviewed for completeness. Along with the application, you must prepare a statement explaining why the lien should be reduced. If you wish to address the Board of County Commissioners during its hearing for lien reduction, you will be allowed to present a three-minute statement to the Board. This hearing is not a re-hearing of the case. The Code Enforcement Board was presented evidence and heard testimony regarding the alleged violation(s) prior to issuing a "Finding of Facts" as established in Florida Statutes 162. There is no evidence an appeal has been filed regarding the property/properties listed in this application.

Requests for reduction of a code enforcement lien go through a two-hearing process. The Code Enforcement Board will hear a request and will make a recommendation only as to whether or not a lien should be reduced, released or whether any action should be taken. The Code Enforcement Board's recommendation and the Application Request for the Lien Reduction will then be heard by the Nassau County Board of County Commissioners, who will make the final determination.

Date of last inspection: February 22, 2022 Compliant? X Yes _____ No

Case Number(s)	Lien Address (Property Subject to the Lien(s))
#04/06-445	86018 Clyde Street, Yulee, FL 32097

Applicant's name:	Phone number:
Heuland Simpson and Basil Parris	(904) 753-3780
Mailing Address:	
48144 Cabbage Creek Trail, Hilliard, FL 32046	
Authorized representative's name:	Written and notarized authorization from owner:
Teresa Prince, Esq.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Name of owner of lien address when lien(s) were placed on the property:	
Mozell J. Brown Estate	
Current owner of lien address:	
Heuland Simpson and Basil Parris	
Current owner's relationship or affiliation with entity/person named in lien(s):	
No relationship. Current owner obtained the property via tax deed sale.	
Other property located in Nassau County belonging to current owner – Parcel Numbers and Address: Attach a separate sheet if necessary	
Parcel Number 01-2N-27-0000-0003-0150, Lofton Blvd, Yulee, FL 32097	
Parcel Number 20-4N-25-4210-0004-0000, 48144 Cabbage Creek Trail, Hilliard, FL 32046	
What were the violations at lien address when lien(s) was/were placed?	
Ordinance 2003-17, Section 2,3, 6.01 & 6.03 – general nuisances affecting public health	
Ordinance 2000-26, Section 1.6 – maintenance of structure	
Who lived at the property when the lien(s) went into effect:	
The property was held in the Estate of Mozell J. Brown. The current owner had no evidence as to who, if anyone, lived at the property when the lien was filed.	
Reasons violations not corrected before lien(s) placed:	
See attached.	

To obtain information on liens, contact the Nassau County Clerk of Court at 904-548-4600 or 800-958-3496, visit the Official Records Department, Robert M. Foster Justice Center, 76347 Veterans Way, Yulee, FL 32097 or go to www.nassauclerk.com.

Note: The Code Enforcement Department does not perform title or lien searches but will try to identify any additional liens that may pertain to this request based on the case number(s) provided in this application. The Department is not responsible for outstanding liens omitted from this application.

Applicant is requesting the below lien(s) be reduced to: \$ 352.06 (Administrative fee)

Under penalty of perjury, the undersigned:

- swears or affirms that the information provided on this Application for Reduction of Code Enforcement Lien(s) is true and correct;
- acknowledges he or she has read the Lien Reduction Procedures;
- acknowledges he or she was given an opportunity to ask questions regarding the procedures.

Applicant must provide an initialed copy of the Lien Reduction Procedures as acknowledgement of the above for application to be accepted.

Applicant's signature: Shawn D. Prince, Agent Date: 3/25/2022

The foregoing was sworn and subscribed before me this 25 day of March
20 22. He or she is personally known to me or provided _____ as
identification at the time of notarization.

Stamp:



CHARLOTTE C. PADFIELD
Notary Public
State of Florida
Comm# HH162415
Expires 8/8/2025

Notary Public:

[Signature]



Nassau County Department of Planning &
Economic Opportunity
96161 Nassau Place
Yulee, Florida 32097

OWNER'S AUTHORIZATION FOR AGENT

Teresa L. Pence, Esq is hereby authorized TO ACT ON BEHALF OF
Heuland Simpson, the owner(s) of those lands described within the
attached application, and as described in the attached deed or other such proof of ownership as may be
required, in applying to Nassau County, Florida, for an application pursuant to a:

- ☐ Rezoning/Modification
- ☐ Variance
- ☐ Plat

- ☐ Conditional Use
- ☐ Preliminary Binding Site Plan
- ☐ Future Land Use Map Amendment
- ☒ Reduction of Lien

BY:

Heuland Simpson
Signature of Owner

Heuland Simpson
Print Name

Signature of Owner

Print Name

904 753 3780
Telephone Number

State of Florida
County of Nassau

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this

24 day of March, 2022.

By Heuland Simpson

Identification verified: Personally known

Oath sworn: Yes ☒ No ☐

Notary Signature

My Commission expires: 8/8/25



CHARLOTTE C. PADFIELD
Notary Public
State of Florida
Comm# HH162415
Expires 8/8/2025



Nassau County Department of Planning &
Economic Opportunity

96161 Nassau Place
Yulee, Florida 32097

OWNER'S AUTHORIZATION FOR AGENT

Teresa L. Prince, Esq. is hereby authorized TO ACT ON BEHALF OF

Basil "Billy" Parris, the owner(s) of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to Nassau County, Florida, for an application pursuant to a:

- | | |
|--|--|
| <input type="checkbox"/> Rezoning/Modification | <input type="checkbox"/> Conditional Use |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Preliminary Binding Site Plan |
| <input type="checkbox"/> Plat | <input type="checkbox"/> Future Land Use Map Amendment |
| | <input checked="" type="checkbox"/> Reduction of Lien |

BY:

Signature of Owner

Basil "Billy" Parris

Print Name

Signature of Owner

Print Name

865-755-8525

Telephone Number

State of TENNESSEE
County of JEFFERSON

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this

25 day of MARCH, 20 22.

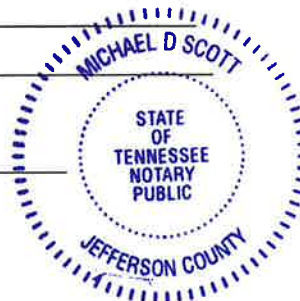
By BASIL PARRIS

Identification verified: TN DL

Oath sworn: ☒ Yes ☐ No

Notary Signature

My Commission expires: AUG 14, 2024





Law Office of

TOMASSETTI & PRINCE

Teresa L. Prince, Esq.
A. Jeffrey Tomassetti, of Counsel

March 25, 2022

SENT VIA U.S. MAIL AND EMAIL

Nassau County Planning Department
ATTN: Thad Crowe, AICP Planning Director
96161 Nassau Place
Yulee, FL 32097
tcrowe@nassaucountyfl.com

Re: Case Number 04/06-445, Complaint #12471 and #12479 86018 Clyde
Street, Yulee, Florida 32097

Dear Mr. Crowe:

My office represents Mr. Heuland Simpson and Mr. Basil "Billy" Parris regarding the above-mentioned property and code-violation lien imposed by Nassau County. Attached please find an application for code enforcement lien reduction and an agent authorization for the same. My clients purchased the property at a tax deed sale on December 14, 2021. Said tax deed is attached hereto as Exhibit A.

My clients do not have independent knowledge of the reasons for violations on this property. However, my clients have obtained a title search which reflects certain facts. Based on the title search, it appears that Richard H. Brown and Mozell J. Brown took title to the property on August 24, 1967. See attached Exhibit B. When the order imposing administrative fine and lien was imposed on the property and recorded in the public records on October 31, 2006, the owner of the property was identified as Mozell J. Brown Estate. See attached Exhibit C. The current owners are relying on the fact that the property appraiser and the tax collector and the county each reference the property to be in the Estate of Mozell J. Brown. Based on the deed from 1967, it is assumed that Mozell J. Brown was the survivor of Richard H. Brown.

On October 13, 2009, an entity referred to as Winder VI, LLC was issued a tax deed, which is attached as Exhibit D. It does not appear from the condition of the property that any steps were taken to remedy the code violations once the entity Winder VI, LLC owned the property. Unpaid land fill assessments for certain years go back as far as 1998. Those were not paid by Winder VI, LLC. Further, Winder VI, LLC did not pay property taxes after purchase of the property.

As such, Harry Stratten, the certificate holder of certificate number 1543 applied for a tax deed. The result of such ended with my clients bidding for and owning the property as of December 14, 2021, as previously stated.

On the date my clients took title, the property was in a continued state of disrepair and the fines were accruing against the property. The house on the property was partially destroyed and was not occupied. My clients received a letter dated January 17, 2022 which indicated that there was a code enforcement lien on the property. My client, through counsel, contacted the County to inquire about the amount of the lien imposed against the property and the specific violations. My clients quickly applied to obtain a permit, which was issued on February 11, 2022, to demolish the structure and correct the code violations. My clients worked quickly to cure the code violations and remove the structure. An inspection was conducted on February 22, 2022, which indicated the code violations were cured. My clients incurred the cost of cleaning up the property and began the process in less than thirty (30) days from the date of receipt of the notice. My clients paid approximately \$20,000 for correcting the code violation, demolishing the structure, and removing the trash and debris.

It is expected that the landfill assessments will be satisfied by the surplus proceeds paid by my client for the property. All past due ad valorem taxes were satisfied by the proceeds my client paid at the tax deed sale. My client also paid the 2021 ad valorem taxes after the tax deed sale. All ad valorem taxes are now current on the property.

Mr. Parris' wife, Erica Ledford, owns the adjacent property. My clients intend to continue to restore the property and potentially build a single-family home on the property. The amount of the lien is burdensome and renders the land valueless. The code enforcement letter of compliance dated February 24, 2022, indicates that the total fine is \$841,500 (\$150 at 5,610 days). According to the letter, the total administrative fees assessed are \$352.06.

My clients believe that a lien reduction is appropriate since they are not responsible for the code violations and did not perpetuate the code violations. Further, they proceeded quickly to cure the violations. They also properly obtained a permit for the demolition. Their swift timeline is as follows:

1. December 14, 2021: Purchase at tax deed sale
2. January 17, 2022: Letter dated from County indicating violations
3. February 11, 2022: Permit issued
4. February 22, 2022: Inspection of property
5. February 24, 2022: Letter dated from County indicating compliance

My clients were not the source of the code violations and did not perpetuate the code violations. Based on the reasons stated herein, my clients seek a reduction of the code enforcement lien.

I will be present at the hearing with at least one of my clients to answer any of the Board's questions. If you require any further information, please do not hesitate to contact my office.

Sincerely,
TOMASSETTI & PRINCE

A handwritten signature in blue ink, reading "Teresa L. Prince". The signature is written in a cursive, flowing style.

Teresa L. Prince, for the firm

TLP/ccp
cc: Heuland Simpson
Basil "Billy" Parris

CERT NO: 1543
FILE NO: 21TD000036AXYX
PARCEL ID: 51-3N-27-4860-000A-0100

TAX DEED

State of FLORIDA
County of NASSAU

The Following Tax Sale Certificate Numbered 1543 issued on 5/28/2014 was filed in the office of the tax collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the costs and expenses of the sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was sold on the 14th DAY OF DECEMBER 2021, offered for sale as required by law for the highest bidder and was sold to:

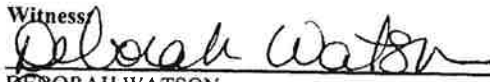

HEULAND SIMPSON


BASIL PARRIS

whose address is 48144 CABBAGE CREEK TRAIL HILLIARD FL 32046 being the highest bidder and having paid the sum of the bid as required by the laws of Florida.

Now, on the 14th DAY OF DECEMBER 2021 in the County of Nassau, State of Florida, in consideration of the sum of (\$16,200.00) Sixteen Thousand Two Hundred And XX / 100 Only, being the amount paid pursuant to the laws of Florida does hereby sell the following lands, including any hereditaments, buildings, fixtures and improvements of any kind and description, situated in the County and State aforesaid and described as follows:

BLOCK A LOT 10 IN OR 1643/1510 FELMORE PARK SUB PB 3/41

Witness

DEBORAH WATSON

RHODA GOODWIN


JOHN A. CRAWFORD
Clerk of the Circuit Court and Comptroller
Nassau County, FL

State of FL
County of NASSAU

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, on this 15 day of December, 20 21, by JOHN A. CRAWFORD, CLERK OF THE CIRCUIT COURT AND COMPTROLLER, who is ☒ personally known to me, or who has produced as identification.

Prepared by:
John A. Crawford
Clerk of the Circuit Court
76347 Veterans Way
Yulee, Florida 32097



LAURA M. BUTLER
Notary Public, State of Florida
My Comm. Expires February 17, 2023
Commission No. GG 290520


LAURA BUTLER Notary Public



STATE OF GEORGIA
COUNTY OF FULTON

From Housing Services Corporation

THIS INSTRUMENT, made this 24th day of August, 1967, in the year of our Lord, One Thousand Nine Hundred and Sixty-Six, between HOUSING SERVICES CORPORATION, a Georgia corporation with principal offices in Atlanta, Fulton County, State of Georgia, of the first part, and Richard H. Brown & Mozell J. Brown, of the second part.

WITNESSETH:

That the said party of the first part for and in consideration of the sum of One & No/100 (\$1.00) Dollar and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, has bargained, sold and done by these presents, bargain, sell, remise, and forever quitclaims to the said party of the second part, their heirs and assigns, all the right, title, interest, claim or demand which the said party of the first part has or may have had in and to all the following described land, situate, lying and being in the County of Nassau, State of Florida, to-wit:

Lot 10 of Block "A" of a subdivision known as WELMORE PARK, according to plat thereof recorded in Plat Book 3, page 41, public records of Nassau County, Florida.

Being the same property conveyed to Housing Services Corporation by Quit-Claim Deed from Commercial Acceptance Corporation dated July 11, 1967, records of Nassau County, Florida.

with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

TO HAVE AND TO HOLD the said described premises unto the said party of the second part, their heirs and assigns, so that neither the said party of the first part nor its successors, nor any other person claiming under it shall at any time, claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

IN WITNESS WHEREOF, the said party of the first part has caused this instrument to be signed in its corporate name by two of its corporate officers and its corporate seal to be hereunto affixed, and attested by its Assistant Secretary all by authority of its Board of Directors duly given, on this the day and year first above written.

WITNESSED:

Louis B. Davis
Witness No. 1

Donna K. McSherry
Witness No. 2

HOUSING SERVICES CORPORATION

BY: H. W. TRAYLOR
H. W. TRAYLOR, Financial Vice Pres.

BY: FORREST FLEMING
FORREST FLEMING, Vice President

ATTEST: Doris R. Vaughn
DORIS R. VAUGHN, Asst. Secretary

FILED AND RECORDED BY:
IN OFFICE

STATE OF GEORGIA 1967 SEP 12 PM 2:55
COUNTY OF FULTON

D.O. OXLEY

I hereby certify that this day before me, an officer duly authorized in the State of Georgia and in the county aforesaid to take acknowledgments, personally appeared H. W. TRAYLOR and FORREST FLEMING, to me known and known to be the persons described in and who executed the foregoing instrument as Financial Vice President and Vice President, respectively of the corporation named therein, and severally acknowledged before me that they executed the same as such officers in the name and on behalf of said corporation. WITNESS my hand and official seal in the county and state last aforesaid, this 24th day of August, 1967.



NOTARY PUBLIC

My Commission Expires April 1, 1972

EXHIBIT

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\$
*
Record & Return to
Brenda Rothwell Director
Code Enforcement Department
96161 Nassau Place
Yulee, Florida 32097

INSTR # 200641068
OR BK 01455 PGS 1184-1185
RECORDED 10/31/2006 11:02:06 AM
JOHN A. CRAWFORD
CLERK OF CIRCUIT COURT
NASSAU COUNTY, FLORIDA
RECORDING FEES 18.50

Dec 18 50
ORDER IMPOSING ADMINISTRATIVE FINE/LIEN

CODE ENFORCEMENT BOARD
96161 NASSAU PLACE
YULEE, FLORIDA 32097
NASSAU COUNTY, FLORIDA

COMPLAINT NO.: 12471 & 12479
CASE NAME: **Mozelle J. Brown Estate**
86018 CLYDE STREET
YULEE, FLORIDA 32097

C.E.B. NO.: 04/06-445

RE: VIOLATION OF SECTION(S) 2, 3, 6.01 and 6.03 of County Ordinance
2003-17 and SECTION(S) 1.6 of County Ordinance 2000-26 of the
Nassau County Code.

Legal Description:

51-3N-27-4860-000A-0100
86018 Clyde Street
Yulee, FL 32097

The Code Enforcement Board previously heard testimony at the Code
Enforcement Board hearing on the 12th day of September 2006, and based
upon the evidence, the Code Enforcement Board entered the following:

FINDINGS OF FACT:

The Board issued an Order on September 12, 2006, as to the above
referenced Case. The Order assessed a fine of One Hundred Fifty and
no/100 Dollars (\$150.00) per day commencing on October 10, 2006, and
accruing each day thereafter until compliance.



CONCLUSION OF LAW:

Based upon the testimony and Board discussion, the Board concludes that the \$150.00 per day fine commenced on October 10, 2006 and will accrue each day until compliance is achieved.

The Administrative Fees at \$250.65, photograph \$12.50, certified mail \$9.28, filing fee \$29.50 for a total of \$301.93, plus a re-inspection fee of \$50.13 for a total of \$352.06.

IT IS THE ORDER OF THE BOARD that this Order shall be recorded in the Official Records of Nassau County, Florida.

DONE and ORDERED this 10 day of October 2006.

ATTEST:

Janet Wylie
Janet Wylie
Code Enforcement Secretary

BY:

Frank Ridley
Frank Ridley, Chairman
Code Enforcement Board

STATE OF FLORIDA
COUNTY OF Nassau County

The foregoing instrument was acknowledged before me this 10 day of October 2006 by FRANK RIDLEY who is personally known to me or who has produced _____ as identification.

Brenda Rothwell
Notary Public Signature
Stamp:

Cc: File
de



File No. 2009-185-TD
Certificate No. 1473
Parcel ID. 51-3N-27-4860-000A-0100

TAX DEED

State of FLORIDA
County Of NASSAU

The following Tax Sale Certificate Numbered **1473** issued on **June 01, 2007** was filed in the office of the tax collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the costs and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was sold on the **13th day of October, 2009**, offered for sale as required by law for cash to the highest bidder and was sold to **WINDER VI LLC** whose address is **PO BOX 100736 ATLANTA, GA, 30384** being the highest bidder and having paid the sum of his bid as required by the Laws of Florida.

Now, on the **13th day of October, 2009**, in the County of Nassau, State of Florida, in consideration of the sum of **(\$4,302.86)** four thousand three hundred two dollars and eighty-six cents only, being the amount paid pursuant to the Laws of Florida does hereby sell the following lands, including any hereditaments, buildings, fixtures and improvements of any kind and description, situated in the County and State aforesaid and described as follows:

BLOCK A LOT 10 FELMORE PARK SUB PB 3/41

Witness:

Rhoda Goodwin

RHODA GOODWIN

Cheryl A. Salmon

CHERYL A. SALMON

State of FL
County Of NASSAU

John A. Crawford
JOHN A. CRAWFORD
Clerk of the Circuit Court
NASSAU COUNTY, FL



On the 13th DAY OF OCTOBER 2009, before me ELIZABETH T. NETTLES personally appeared **JOHN A. CRAWFORD** Clerk of the Circuit Court in and for the State and this County known to me to be the person described in, and who executed the foregoing instrument, and acknowledged the execution of this instrument to be his own free act and deed for the use and purposes therein mentioned.

Witness my hand and office seal date aforesaid.

Elizabeth T. Nettles
ELIZABETH T. NETTLES, Notary Public

Prepared by:
John A. Crawford
Clerk of the Circuit Court
76347 Veterans Way
Yulee, Florida 32097



ELIZABETH T. NETTLES
Notary Public, State of Florida
My Comm. Expires Sept. 27, 2010
Comm. No. DD 599782

Note: The entity has a Georgia address but this deed doesn't show the actual State of Formation. I didn't find this entity in Georgia. I did find it in Florida, however, the filing was several years AFTER this Tax Deed.

