



**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**



Agenda
1225 Barefoot Blvd, Bldg. D & E
06/14/2019
10:00 a.m.

- Call to Order
- Pledge of Allegiance
- Roll Call
- Approval of Minutes
- Swearing in of Inspectors and Witnesses
- Chairperson's and other member's Report

New Business: Current VC cases for review:

ARCC No Permit

1. 19-001173 904 CASHEW CIRCLE
2. 19-001485 1008 ROBIN DRIVE

Condition of Prop. (A)(D) Lawn & Landscape (Recurring Mtnc.)

3. 18-002566 710 BAREFOOT BOULEVARD
4. 19-002110 400 OSPREY DRIVE
5. 19-002131 837 LYCHEE DRIVE
6. 19-002150 432 BAREFOOT BOULEVARD
7. 19-002172 922 BAREFOOT BOULEVARD
8. 19-002184 260 KIWI DRIVE
9. 19-002188 640 PUFFIN DRIVE
10. 19-002240 693 PINWOOD BOULEVARD
11. 19-002271 1203 IRIQUOIS DRIVE
12. 19-002276 714 BAREFOOT BOULEVARD
13. 19-002282 336 LOQUAT DRIVE
14. 19-002283 1054 SEBASTIAN ROAD
15. 19-002285 401 OSPREY DRIVE
16. 19-002327 869 PECAN CIRCLE
17. 19-002356 917 FIR STREET
18. 19-002384 614 ROYAL TERN DRIVE
19. 19-002393 1106 INDIGO DRIVE

Condition of Prop. (B) PW

20. 19-001196 223 KIWI DRIVE
21. 19-001251 618 DOLPHIN CIRCLE
22. 19-001315 605 TARPON DRIVE
23. 19-001822 1217 CHIPEWA DRIVE
24. 19-001833 927 HEMLOCK STREET

Condition of Prop. (C) Unauthorized items

25. 19-001642 812 SILVERTHORN COURT
26. 19-001654 624 AMARYLLIS DRIVE
27. 19-001950 1142 BAREFOOT CIRCLE
28. 19-002064 1124 WATERWAY DRIVE
29. 19-002108 401 OSPREY DRIVE



**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**



Agenda
1225 Barefoot Blvd, Bldg. D & E
06/14/2019
10:00 a.m.

Condition of Skirting

30. 19-001340 630 MARLIN CIRCLE

Exterior Maintenance

- 31. 19-001905 937 ORIOLE CIRCLE
- 32. 19-001987 937 ORIOLE CIRCLE
- 33. 19-002331 1142 BAREFOOT CIRCLE

Nuisance

34. 19-001341 630 MARLIN CIRCLE

Closing Remarks:

Adjournment: The next regular meeting will be held on Friday, June 28, 2019 in Building D & E at 10:00 a.m.

Sally-Ann Biondolillo

Sally-Ann Biondolillo
DOR/ARCC Administrative Assistant



**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

Minutes

1225 Barefoot Blvd, Bldg. D & E

05/24/2019

10:00 a.m.



The Barefoot Bay Violations Committee held its regular Hearing on 05/24/2019 in Building D&E, Barefoot Bay, Florida 32976.

- **Call to Order:** Chair Joy Liddy called the hearing to order at 10:00 a.m.
- **Pledge of Allegiance:** Arlene Maguire let the pledge of allegiance.
- **Roll Call:** Present - Chair Joy Liddy, Vice Chair Arlene Maguire, 2nd Vice Chair Mary Firlein, Al Grunow, John Atta and Alternates Wilma Weglein and Jeff Grunow.
- **Approval of Minutes:** 04/26/2019 Minutes approved as presented
- **Swearing in of Inspectors and Witnesses:** Chair swore in the DOR Inspectors Stephane Fecteau.
- **Witnesses present:** None
- **Chair Report:** None
- **Committee Reports:** None
- **DOR Enforcement:** None
- **Other reports:** None

New Business: All cases were sent a Statement of Violation and Notice of Hearing via Certified Return Receipt requested, Regular 1st Class mail with a reasonable time to correct the violation. All properties were confirmed to be still in violation at the last inspection. Pictures were presented to the committee.

Inspector Fecteau presented item #1, 2, 4, 5, 7, 10, 11, 13, 14 and 16 as complied prior to meeting.
Item #3, 9, and 15: DOR is working with homeowner.

Condition of Prop. (A)(D) Lawn & Landscape (Recurring Mtnc.)

6. 19-001927 333 PAPAYA CIRCLE

8. 19-002054 904 HAWTHORN CIRCLE

Inspector Fecteau presented the above case(s) for the violation of: Article III, Section 2 (A) Lawn and Landscaping – Recurring Maintenance (Lot Mows, Trim Palms, Etc.) The District will continue to maintain the lawn and landscape at the expense of the owner until the owner brings the property into compliance. An Order of Compliance will be obtained after three (3) consecutive and successful inspections. This expense will result in a lien on the property. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Arlene Maguire made the motion, second by Mary Firlein, no discussion, motion carried unanimously.

Condition of Prop. (B) PW

12. 19-001786 1215 CHIPEWA DRIVE

Inspector Fecteau presented the above case(s) for the violation of: Article III, Section 2 (B) Condition of Property (Exterior of Home must be free of mildew, mold and dirt) Power Wash. A compliance date of (7) seven days May 31st, 2019. If the property is still in violation after seven days, the final order of the Violations Committee shall either be presented to the Board of Trustees at its next scheduled meeting to pursue legal or equitable action or other appropriate action or the District will contact their Power Wash contractor to bring the home into compliance, the expense of such action to be billed to the owner's account and will result in a lien on the property. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Arlene Maguire made the motion, second by Mary Firlein, no discussion, motion carried unanimously.

Closing Remarks: Joy Liddy made a comment that it seems that the posting of the violations is really helping with having the residents come into compliance.

The next regular meeting will be held on Friday, June 14, 2019 in Building D & E at 10:00 a.m.

Adjournment: Meeting was adjourned at 10:06 a.m.

Sally-Ann Biondolillo

Sally-Ann Biondolillo
DOR/ARCC Administrative Assistant

Any person desiring to appeal any decision made by the Violations Committee, with respect to any matter considered at this meeting or hearing, will need a record of the proceedings for such purposes, must insure that a verbatim record and transcript of the proceedings, which record includes the testimony and evidence which the appeal is based. It shall be the responsibility of the person desiring to appeal any decision to prepare a verbatim record and transcript at his/her expense, as the District does not provide one. ATTN: PERSONS WITH DISABILITIES. In accordance with the Americans with disabilities Act and Sect.286.26, Florida Statutes, persons needing special accommodations to participate in this proceeding shall, at least 48 hours prior to the meeting, contact the DOR Enforcement Staff at (772) 664-4722.

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001173

#2536/19-001173

NOVAK, STANLEY,
904 CASHEW CIR
SEBASTIAN, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

• **ARTICLE II, SECT. 2 ARCC No Permit**

No building or other structure shall be erected or placed on any Lot, nor shall the exterior of any such building or structure or the driveways or parking areas serving such building or structure be altered in any way unless and until two sets of the complete building plans, two sets of complete specifications and two copies of a plot plan have been submitted to the ARCC and approved by it in writing. An application for such approval shall demonstrate to the satisfaction of the ARCC that: 1. The said building or other structure complies in all respects with the Provisions of this instrument; and 2. The said building or other structure is in conformity and harmony with such written rules as may from time to time be adopted by the ARCC. The ARCC's approval of the said plan specifications and plot plans shall be evidenced by the signature of its Chairman or Vice-Chairman on the plans, specifications and plot plans submitted by an applicant. One set of approved plan shall be returned to the applicant and the other shall be retained by the ARCC among its permanent records. In the event the ARCC fails to approve or disapprove an application within thirty (30) Days after the complete application has been submitted to the ARCC, the ARCC shall be deemed to have approved the application in all respects. The ARCC shall have the authority to promulgate regulations relating to all construction and landscaping for lots within Barefoot Bay. Such regulations may, without formal amendment of this Deed of Restrictions, be created, amended, modified, altered or changed by a majority vote of the ARCC, provided, however, that notice of any such amendment, modification, alteration or change to the regulations shall be given in writing to the Recreation District as soon as practicable after adoption thereof by the ARCC. A copy of any such amendment, modification, alteration or change to such a regulation shall be maintained in the offices of the Recreation District and shall be made available on request to any interested party upon payment of a reasonable copying fee. In the event that a dispute arises in the interpretation by the ARCC of any requirement of this Article or of the regulations provided for herein above, such dispute shall be resolved by a majority vote of the Recreation District, whose decision shall be final and binding.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 116 Lot # 15
904 CASHEW CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): ARCC no permit: hot tub

DATE OF VIOLATION FIRST OBSERVED: Mar 25, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

03/25/2019 via First Class
via Certified return receipt requested.
05/16/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 10, 2019



Stephane Fecteau, DOR Inspector

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

NOTICE OF HEARING

Hearing Date: 06/14/2019

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.*

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 16, 2019

Violations Committee/Deed of Restrictions Staff



16/05/2019 09:53 AM
904 cashew

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001173

#2536/19-001173

NOVAK, STANLEY,

904 CASHEW CIR

SEBASTIAN, FL 32976

Respondent(s),

RE: 904 CASHEW CIRCLE

Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this _____ day of _____ 20____.



Stephane Fecteau, DOR Inspector

The Foregoing instrument was acknowledged before me on _____ day of _____ 20____ by Stephane Fecteau, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001485

#1345/19-001485

COCUZZA, ROBERT M,
1008 ROBIN DRIVE
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

• **ARTICLE II, SECT. 2 ARCC No Permit**

No building or other structure shall be erected or placed on any Lot, nor shall the exterior of any such building or structure or the driveways or parking areas serving such building or structure be altered in any way unless and until two sets of the complete building plans, two sets of complete specifications and two copies of a plot plan have been submitted to the ARCC and approved by it in writing. An application for such approval shall demonstrate to the satisfaction of the ARCC that: 1. The said building or other structure complies in all respects with the Provisions of this instrument; and 2. The said building or other structure is in conformity and harmony with such written rules as may from time to time be adopted by the ARCC. The ARCC's approval of the said plan specifications and plot plans shall be evidenced by the signature of its Chairman or Vice-Chairman on the plans, specifications and plot plans submitted by an applicant. One set of approved plan shall be returned to the applicant and the other shall be retained by the ARCC among its permanent records. In the event the ARCC fails to approve or disapprove an application within thirty (30) Days after the complete application has been submitted to the ARCC, the ARCC shall be deemed to have approved the application in all respects. The ARCC shall have the authority to promulgate regulations relating to all construction and landscaping for lots within Barefoot Bay. Such regulations may, without formal amendment of this Deed of Restrictions, be created, amended, modified, altered or changed by a majority vote of the ARCC, provided, however, that notice of any such amendment, modification, alteration or change to the regulations shall be given in writing to the Recreation District as soon as practicable after adoption thereof by the ARCC. A copy of any such amendment, modification, alteration or change to such a regulation shall be maintained in the offices of the Recreation District and shall be made available on request to any interested party upon payment of a reasonable copying fee. In the event that a dispute arises in the interpretation by the ARCC of any requirement of this Article or of the regulations provided for herein above, such dispute shall be resolved by a majority vote of the Recreation District, whose decision shall be final and binding.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 143 Lot # 5
1008 ROBIN DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): no ARCC permit: hot tub

DATE OF VIOLATION FIRST OBSERVED: Apr 10, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

via First Class
06/04/2019 via Certified return receipt requested.
via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019



Stephane Fecteau, DOR Inspector

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

NOTICE OF HEARING

Hearing Date: 06/14/2019

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.*

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

June 04, 2019

Violations Committee/Deed of Restrictions Staff



1008 Robin

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001485

#1345/19-001485

COCUZZA, ROBERT M,

1008 ROBIN DRIVE

BAREFOOT BAY, FL 32976

Respondent(s),

RE: 1008 ROBIN DRIVE

Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA

COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this _____ day of _____ 20____.



Stephane Fecteau, DOR Inspector

The Foregoing instrument was acknowledged before me on _____ day of _____ 20____ by Stephane Fecteau, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 18-002566

#1085/18-002566

JOHNSON, LANE R,
1630 SE GAINSWOOD CT
PORT SAINT LUCIE, FL 34952

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **Article III, Section 2, (A) Condition of Property**, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 83 Lot # 34
710 BAREFOOT BOULEVARD
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: May 25, 2018

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 25, 2018 via First Class

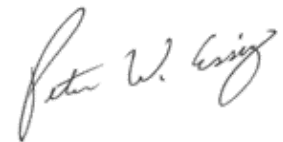
05/26/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

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May 25, 2019



Peter Essig, DOR Inspector
772-664-4722



**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 18-002566

#1085/18-002566

JOHNSON, LANE R,
1630 SE GAINSWOOD CT
PORT SAINT LUCIE , FL 34952
Respondent(s),

RE: 710 BAREFOOT BOULEVARD
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

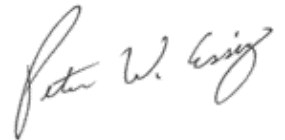
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this _____ day of _____ 20____.



Peter Essig, DOR Inspector

The Foregoing instrument was acknowledged before me on _____ day of _____ 20____ by Peter Essig, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	<u>\$7</u>
Total	<u>\$70</u>

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	<u>\$7</u>
Total	Actual contractor invoiced cost plus <u>\$89</u>

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002110

#0014/19-002110

ALMEIDA, FRANK D,
400 OSPREY DR
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **Article III, Section 2, (A) Condition of Property**, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 84.A Lot # 19
400 OSPREY DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Weeds on property, overgrowth, neglect.

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: May 16, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 28, 2019 via First Class

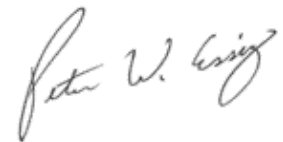
05/28/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 28, 2019



Peter Essig, DOR Inspector
772-664-4722



400 Osprey (rear). Overgrowth, neglect.
Peter Essig
May 28, 2019



400 Osprey (left side). Overgrowth, neglect.
Peter Essig
May 28, 2019



400 Osprey. Weeds, overgrowth.
Peter Essig
May 28, 2019

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002110

#0014/19-002110

ALMEIDA, FRANK D,

400 OSPREY DR

BAREFOOT BAY, FL 32976

Respondent(s),

RE: 400 OSPREY DRIVE

Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA

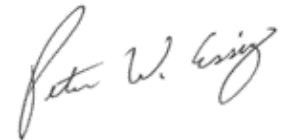
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this _____ day of _____ 20____.



Peter Essig, DOR Inspector

The Foregoing instrument was acknowledged before me on _____ day of _____ 20____ by Peter Essig, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	<u>\$7</u>
Total	<u>\$70</u>

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	<u>\$7</u>
Total	Actual contractor invoiced cost plus <u>\$89</u>

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002131

#2956/19-002131

DUNIGAN, YVONNE S, BAREFOOT BAY UNIT 1

837 LYCHEE DR

BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF REPEAT VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a REPEAT violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

AND

PURSUANT to the Violations Committee Findings of Fact and Recommended Order - Case# 18-001005. The respondent(s) are further advised that should a repeat violation occur, the respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **ARTICLE III, SECT. 2 (A) (D) Lawn and Landscape Recurring Maintenance Condition of Prop. (A)(D) Lawn & Landscape (Recurring Mtnce.)**

(A) The lawn and landscaped areas (including all trees, shrubs, and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation, or presents an inherent danger in either height, placement or as restricted in ARCC Guidelines. Dead vegetation on any lot is required to be promptly removed.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes or the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 20 Lot # 19

837 LYCHEE DRIVE

BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Lawn and landscape: High grass. Grass must be mowed. (Repeat violation- SEE: CASE #18-001005, CASE #17-002865)

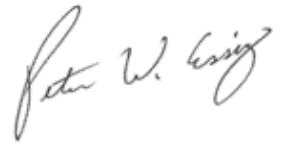
DATE OF VIOLATION FIRST OBSERVED: May 16, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

05/17/2019 via First Class

05/17/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 17, 2019



Peter Essig, DOR Inspector
772-664-4722

DATE: May 16, 2019

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M.** on **06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. ***If the property is found to be in violation, all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 16, 2019

Violations Committee/Deed of Restrictions Staff



837 Lychee. High grass.
Peter Essig
May 11, 2019

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002131

#2956/19-002131

DUNIGAN, YVONNE S,

837 LYCHEE DR

BAREFOOT BAY, FL 32976

Respondent(s),

RE: 837 LYCHEE DRIVE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

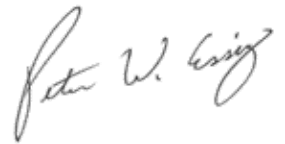
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this _____ day of _____ 20____.



Peter Essig, DOR Inspector

The Foregoing instrument was acknowledged before me on _____ day of _____ 20____ by Peter Essig, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002150

#0315/19-002150

UNITS 4 LEASE INC,
390 ROOSEVELT AVE
SATELLITE BEACH, FL 32937

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **Article III, Section 2, (A) Condition of Property**, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 84.B Lot # 10
432 BAREFOOT BOULEVARD
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: May 19, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 19, 2019 via First Class

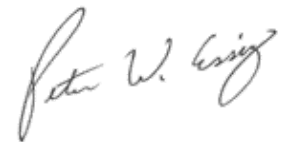
05/28/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 28, 2019



Peter Essig, DOR Inspector
772-664-4722



**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002150

#0315/19-002150

UNITS 4 LEASE INC,
390 ROOSEVELT AVE
SATELLITE BEACH, FL 32937
Respondent(s),

RE: 432 BAREFOOT BOULEVARD
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

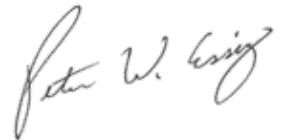
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the _____ day of _____ 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this _____ day of _____ 20____.



Peter Essig, DOR Inspector

The Foregoing instrument was acknowledged before me on _____ day of _____ 20____ by Peter Essig, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	<u>\$7</u>
Total	<u>\$70</u>

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	<u>\$7</u>
Total	Actual contractor invoiced cost plus <u>\$89</u>

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002172

#0863/19-002172

HYSKELL, CHRISTOPHER L,
450 WATSON DR
INDIALANTIC, FL 32903

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **Article III, Section 2, (A) Condition of Property**, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 119 Lot # 43
922 BAREFOOT BOULEVARD
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: May 21, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 29, 2019 via First Class
via Certified return receipt requested.
05/29/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 05, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 29, 2019



Stephane Fecteau, DOR Inspector
772-664-4722



922 bfb
Stephane Fecteau

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002172

#0863/19-002172

HYSKELL, CHRISTOPHER L,
450 WATSON DR
INDIALANTIC, FL 32903

Respondent(s),

RE: 922 BAREFOOT BOULEVARD
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Stephane Fecteau, DOR Inspector
to me and did take an oath. by Stephane Fecteau, who is personally known

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002184

#2774/19-002184

HOME NATION.COM LLC,BAREFOOT BAY UNIT 1

3737 N HIGHWAY 1

COCOA, FL 32926

Respondent(s),

STATEMENT OF REPEAT VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a REPEAT violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

AND

PURSUANT to the Violations Committee Findings of Fact and Recommended Order - Case# 18-002787. The respondent(s) are further advised that should a repeat violation occur, the respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

ARTICLE III, SECT. 2 (A) (D) Lawn and Landscape Recurring Maintenance Condition of Prop. (A)(D) Lawn & Landscape (Recurring Mtnc.)

(A) The lawn and landscaped areas (including all trees, shrubs, and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation, or presents an inherent danger in either height, placement or as restricted in ARCC Guidelines. Dead vegetation on any lot is required to be promptly removed.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes or the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 15 Lot # 40

260 KIWI DRIVE

BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Lawn and landscape: High Grass. Grass must be mowed. REPEAT VIOLATION.

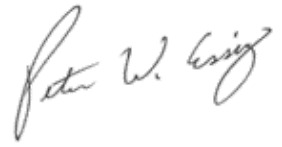
DATE OF VIOLATION FIRST OBSERVED: May 21, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 21, 2019 via First Class

05/21/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 17, 2019



Peter Essig, DOR Inspector
772-664-4722

DATE: May 21, 2019

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**. The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. ***If the property is found to be in violation, all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 21, 2019

Violations Committee/Deed of Restrictions Staff



260 Kiwi. High grass, weeds.

Peter Essig
May 20, 2019

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002184

#2774/19-002184

HOME NATION.COM LLC,

3737 N HIGHWAY 1

COCOA, FL 32926

Respondent(s),

RE: 260 KIWI DRIVE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

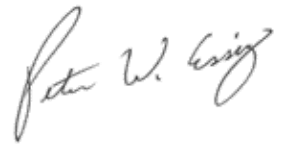
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Peter Essig, who is personally known to me and did take an oath.

Peter Essig, DOR Inspector
by Peter Essig, who is personally known to me

Notary Public
State of Florida at Large

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002188

#4482/19-002188

NORRIS, ROBERT L,
640 PUFFIN DR
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

Article III, Section 2, (A) Condition of Property, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 99 Lot # 42
640 PUFFIN DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: May 21, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 21, 2019 via First Class

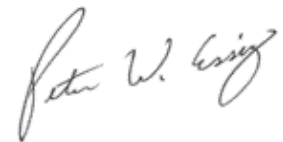
05/31/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 31, 2019



Peter Essig, DOR Inspector
772-664-4722



**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002188

#4482/19-002188

NORRIS, ROBERT L,

640 PUFFIN DR

BAREFOOT BAY, FL 32976

Respondent(s),

RE: 640 PUFFIN DRIVE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

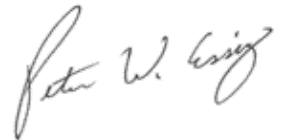
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Peter Essig, who is personally known to me and did take an oath.

Peter Essig, DOR Inspector

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002240

#0501/19-002240

BOANI, DJALMA,
21 ICKER AVE
EAST BRUNSWICK, NJ 08816

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

Article III, Section 2, (A) Condition of Property, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 105 Lot # 100
693 PINEWOOD BOULEVARD
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: May 22, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 29, 2019 via First Class
via Certified return receipt requested.
05/29/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 05, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 29, 2019



Stephane Fecteau, DOR Inspector
772-664-4722



693 pinewood
Stephane Fecteau

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002240

#0501/19-002240

BOANI, DJALMA,

21 ICKER AVE

EAST BRUNSWICK, NJ 08816

Respondent(s),

RE: 693 PINWOOD BOULEVARD
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Stephane Fecteau, DOR Inspector
to me and did take an oath. by Stephane Fecteau, who is personally known

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002271

#2576/19-002271

BATES, MARGIE E, ESTATE OF,
1203 IRIQUOIS DR
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

Article III, Section 2, (A) Condition of Property, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 49 Lot # 31
1203 IRIQUOIS DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s):

lawn and landscape: high grass/weeds/tree(s) need to be trimmed/dead fronds removed

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: May 24, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 29, 2019 via First Class
via Certified return receipt requested.
05/29/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 05, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 29, 2019



Stephane Fecteau, DOR Inspector
772-664-4722



1203 iriquois
Stephane Fecteau

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002271

#2576/19-002271

BATES, MARGIE E, ESTATE OF,
1203 IRIQUOIS DR
BAREFOOT BAY, FL 32976

Respondent(s),

RE: 1203 IRIQUOIS DRIVE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Stephane Fecteau, DOR Inspector
to me and did take an oath. by Stephane Fecteau, who is personally known

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002276

#1041/19-002276

ESTATE OF MURPHY, SCOTT ALAN,
200 FIRE LANE
NORTH CAPE MAY, NJ 08204

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

Article III, Section 2, (A) Condition of Property, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 83 Lot # 36
714 BAREFOOT BOULEVARD
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass and weeds on property, overgrowth, non-native invasive plant species (Brazilian pepper tree) on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: May 25, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 28, 2019 via First Class

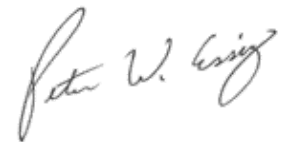
05/28/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 28, 2019



Peter Essig, DOR Inspector
772-664-4722



**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002276

#1041/19-002276

MURPHY, SCOTT ALAN,

200 FIRE LANE

NORTH CAPE MAY, NJ 08204

Respondent(s),

RE: 714 BAREFOOT BOULEVARD

Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

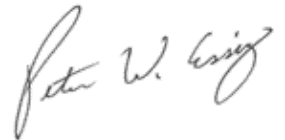
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Peter Essig, who is personally known to me and did take an oath.

Peter Essig, DOR Inspector

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002282

#3047/19-002282

MC GINLEY, DAVID,
921 HEMLOCK ST
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

Article III, Section 2, (A) Condition of Property, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 22 Lot # 29
336 LOQUAT DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass, overgrowth, and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: May 25, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 25, 2019 via First Class

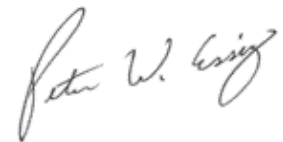
June 04, 2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

June 04, 2019



Peter Essig, DOR Inspector
772-664-4722



**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002282

#3047/19-002282

MC GINLEY, DAVID,

921 HEMLOCK ST

BAREFOOT BAY, FL 32976

Respondent(s),

RE: 336 LOQUAT DRIVE

Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

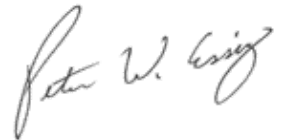
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 and did take an oath.

Peter Essig, DOR Inspector
by Peter Essig, who is personally known to me

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002283

#2966/19-002283

MCCLUSKEY, ROBERT,
1054 SEBASTIAN ROAD
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

Article III, Section 2, (A) Condition of Property, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 16 Lot # 28
1054 SEBASTIAN ROAD
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: May 25, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 25, 2019 via First Class

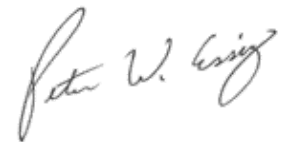
06/04/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

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June 04, 2019



Peter Essig, DOR Inspector
772-664-4722



**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002283

#2966/19-002283

MCCLUSKEY, ROBERT,
1054 SEBASTIAN ROAD
BAREFOOT BAY, FL 32976

Respondent(s),

RE: 1054 SEBASTIAN ROAD
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

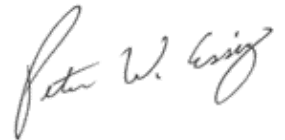
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

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4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Peter Essig, who is personally known to me and did take an oath.

Peter Essig, DOR Inspector

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002285

#0322/19-002285

ALONSO, DANI ALMEIDA,
401 OSPREY DR
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

Article III, Section 2, (A) Condition of Property, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 85.A Lot # 7
401 OSPREY DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass, overgrowth, and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

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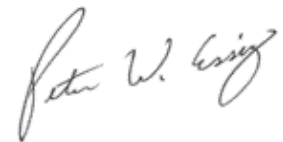
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June 04, 2019



Peter Essig, DOR Inspector
772-664-4722



**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002285

#0322/19-002285

ALONSO, DANI ALMEIDA,
401 OSPREY DR
BAREFOOT BAY, FL 32976

Respondent(s),

RE: 401 OSPREY DRIVE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

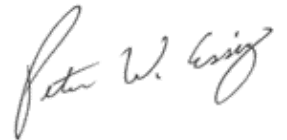
STATE OF FLORIDA
COUNTY OF BREVARD

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FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



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Peter Essig, DOR Inspector

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

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Total	\$140

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DOR Enforcement	\$7
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Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
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Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002327

#0556/19-002327

REDFEARN, DAVID A,
5 MIDDLE RD
HAVERHILL, MA 01830

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

Article III, Section 2, (A) Condition of Property, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 105 Lot # 54
869 PECAN CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): lawn and landscape: high grass/weeds/overgrown bushes

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: May 29, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 29, 2019 via First Class
via Certified return receipt requested.
05/29/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 05, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 29, 2019



Stephane Fecteau, DOR Inspector
772-664-4722



869 pecan
Stephane Fecteau

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002327

#0556/19-002327

REDFEARN, DAVID A,
5 MIDDLE RD
HAVERHILL, MA 01830

Respondent(s),

RE: 869 PECAN CIRCLE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Stephane Fecteau, DOR Inspector
to me and did take an oath. by Stephane Fecteau, who is personally known

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002356

#3944/19-002356

HITE, DANIEL LEON,
PO BOX 430408
BIG PINE KEY, FL 33043-0408

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

Article III, Section 2, (A) Condition of Property, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 3 Lot # 9
917 FIR STREET
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: May 31, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

via First Class

via Certified return receipt requested.

06/04/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

June 04, 2019

Stephane Fecteau

Stephane Fecteau, DOR Inspector
772-664-4722



917 fir
Stephane Fecteau

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002356

#3944/19-002356

HITE, DANIEL LEON,

PO BOX 430408

BIG PINE KEY, FL 33043-0408

Respondent(s),

RE: 917 FIR STREET
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Stephane Fecteau, DOR Inspector
to me and did take an oath. by Stephane Fecteau, who is personally known

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002384

#3523/19-002384

HARNCH-RUANE, APRIL L,
614 ROYAL TERN DR
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

Article III, Section 2, (A) Condition of Property, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 98 Lot # 27
614 ROYAL TERN DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass, weeds, and dead palm fronds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: May 31, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 31, 2019 via First Class

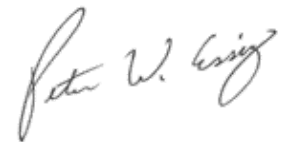
06/04/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

June 04, 2019



Peter Essig, DOR Inspector
772-664-4722



**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002384

#3523/19-002384

HARNCH-RUANE, APRIL L,
614 ROYAL TERN DR
BAREFOOT BAY, FL 32976

Respondent(s),

RE: 614 ROYAL TERN DRIVE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

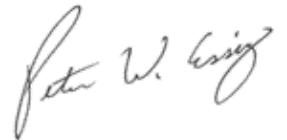
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Peter Essig, who is personally known to me and did take an oath.

Peter Essig, DOR Inspector

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002393

#0881/19-002393

DEMCZAK, MARGARET L,
1106 INDIGO DR
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

Article III, Section 2, (A) Condition of Property, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 110 Lot # 5
1106 INDIGO DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

DATE OF VIOLATION FIRST OBSERVED: Jun 01, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

June 03, 2019 via First Class
via Certified return receipt requested.
06/03/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 10, 2019

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

June 03, 2019



Stephane Fecteau, DOR Inspector
772-664-4722



1106 indigo
Stephane Fecteau

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002393

#0881/19-002393

DEMCZAK, MARGARET L,
1106 INDIGO DR
BAREFOOT BAY, FL 32976

Respondent(s),

RE: 1106 INDIGO DRIVE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Stephane Fecteau, DOR Inspector
to me and did take an oath. by Stephane Fecteau, who is personally known

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001196

#3160/19-001196

CACERES, JILL MULLER,
223 KIWI DR
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION and NOTICE OF HEARING

PURSUANT to the Article III, Section 12 of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION OF DEED OF RESTRICTION VIOLATION

Article III, Section 2 Conditions of Property (B) The exterior of a home on any lot shall be maintained free of mildew, mold and dirt, which is visible when the house is viewed from the street or from any adjacent lot.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 18 Lot # 14
223 KIWI DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Mold, dirt and mildew must be removed from the exterior of the home.

DATE OF VIOLATION FIRST OBSERVED: Mar 26, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

March 26, 2019 via First Class

05/20/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019

If at the end of this period the home has not been pressure washed of all mold, dirt and mildew, the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 A.M. on the 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this Hearing will be to determine whether or not if the alleged violation(s) exist.

The Violations Committee will receive testimony and evidence at the Hearing and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the Hearing, or may be represented by an attorney.

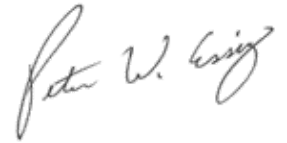
If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance to include administrative fees and contractor costs in accordance with Exhibit "A" of **Resolution 2015-16** with the charge posted to the owner's District account. Said charge will constitute as a lien recorded on the property. ***In addition all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE

PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (*FS 286.0105*) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OF OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.

Dated this Date, May 20, 2019



Peter Essig, DOR Inspector
772-664-4722

DATE: May 20, 2019



223 Kiwi. Mold/dirt/mildew.

Peter Essig

May 19, 2019

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001196

#3160/19-001196

CACERES, JILL MULLER,

223 KIWI DR

BAREFOOT BAY, FL 32976

Respondent(s),

RE: 223 KIWI DRIVE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

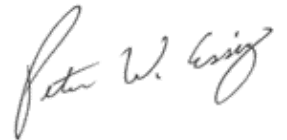
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Peter Essig, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001251

#4427/19-001251

RIVERA, ANTONIA,
618 DOLPHIN CIR
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION and NOTICE OF HEARING

PURSUANT to the Article III, Section 12 of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION OF DEED OF RESTRICTION VIOLATION

Article III, Section 2 Conditions of Property (B) The exterior of a home on any lot shall be maintained free of mildew, mold and dirt, which is visible when the house is viewed from the street or from any adjacent lot.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 12 Lot # 20
618 DOLPHIN CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Mold, dirt and mildew must be removed from the exterior of the home.

DATE OF VIOLATION FIRST OBSERVED: Mar 29, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

March 29, 2019 via First Class

05/20/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019

If at the end of this period the home has not been pressure washed of all mold, dirt and mildew, the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 A.M. on the 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this Hearing will be to determine whether or not if the alleged violation(s) exist.

The Violations Committee will receive testimony and evidence at the Hearing and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the Hearing, or may be represented by an attorney.

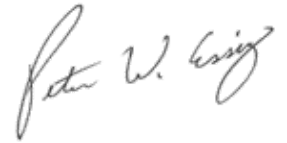
If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance to include administrative fees and contractor costs in accordance with Exhibit "A" of **Resolution 2015-16** with the charge posted to the owner's District account. Said charge will constitute as a lien recorded on the property. ***In addition all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE

PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (*FS 286.0105*) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OF OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.

Dated this Date, May 20, 2019



Peter Essig, DOR Inspector
772-664-4722

DATE: May 20, 2019



618 Dolphin. Mold/dirt/mildew.

Peter Essig
May 19, 2019

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001251

#4427/19-001251

RIVERA, ANTONIA,

618 DOLPHIN CIR

BAREFOOT BAY, FL 32976

Respondent(s),

RE: 618 DOLPHIN CIRCLE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

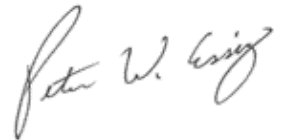
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 and did take an oath.

Peter Essig, DOR Inspector
by Peter Essig, who is personally known to me

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001315

#2636/19-001315

SLATTERY, TRACY,
605 TARPON DR
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION and NOTICE OF HEARING

PURSUANT to the Article III, Section 12 of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION OF DEED OF RESTRICTION VIOLATION

Article III, Section 2 Conditions of Property (B) The exterior of a home on any lot shall be maintained free of mildew, mold and dirt, which is visible when the house is viewed from the street or from any adjacent lot.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 14 Lot # 3
605 TARPON DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Mold, dirt and mildew must be removed from the exterior of the home.

DATE OF VIOLATION FIRST OBSERVED: Apr 03, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 20, 2019 via First Class

06/04/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019

If at the end of this period the home has not been pressure washed of all mold, dirt and mildew, the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 A.M. on the 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this Hearing will be to determine whether or not if the alleged violation(s) exist.

The Violations Committee will receive testimony and evidence at the Hearing and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the Hearing, or may be represented by an attorney.

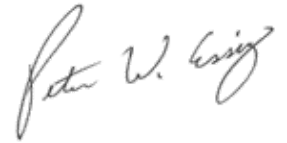
If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance to include administrative fees and contractor costs in accordance with Exhibit "A" of **Resolution 2015-16** with the charge posted to the owner's District account. Said charge will constitute as a lien recorded on the property. ***In addition all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE

PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (*FS 286.0105*) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OF OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.

Dated this Date, June 04, 2019



Peter Essig, DOR Inspector
772-664-4722

DATE: June 04, 2019



605 Tarpon. Mold/dirt/mildew.

Peter Essig

Jun 04, 2019

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001315

#2636/19-001315

SLATTERY, TRACY,

605 TARPON DR

BAREFOOT BAY, FL 32976

Respondent(s),

RE: 605 TARPON DRIVE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

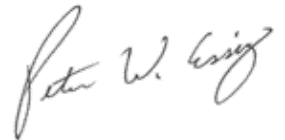
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Peter Essig, who is personally known to me and did take an oath.

Peter Essig, DOR Inspector

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001822

#4915/19-001822

COWIE, SAMUEL THOMAS,
48 BIRCHVIEW DR HALIFAX NS CANADA B3P 1G4

,

Respondent(s),

STATEMENT OF VIOLATION and NOTICE OF HEARING

PURSUANT to the Article III, Section 12 of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION OF DEED OF RESTRICTION VIOLATION

Article III, Section 2 Conditions of Property (B) The exterior of a home on any lot shall be maintained free of mildew, mold and dirt, which is visible when the house is viewed from the street or from any adjacent lot.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 47 Lot # 9
1217 CHIPEWA DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Mold, dirt and mildew must be removed from the exterior of the home.

DATE OF VIOLATION FIRST OBSERVED: Apr 30, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

April 30, 2019 via First Class
via Certified return receipt requested.
06/01/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 10, 2019

If at the end of this period the home has not been pressure washed of all mold, dirt and mildew, the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 A.M. on the 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this Hearing will be to determine whether or not if the alleged violation(s) exist.

The Violations Committee will receive testimony and evidence at the Hearing and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the Hearing, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance to include administrative fees and contractor costs in accordance with Exhibit "A" of **Resolution 2015-16** with the charge posted to the owner's District account. Said charge will constitute as a lien recorded on the property. ***In addition all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE

PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (*FS 286.0105*) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OF OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.

Dated this Date, June 01, 2019

Stephane Fecteau

Stephane Fecteau, DOR Inspector
772-664-4722

DATE: June 01, 2019



1217 chipewa
Stephane Fecteau
Jun 01, 2019

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001822

#4915/19-001822

COWIE, SAMUEL THOMAS,

48 BIRCHVIEW DR HALIFAX NS CANADA B3P 1G4

,

Respondent(s),

RE: 1217 CHIPEWA DRIVE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Stephane Fecteau, DOR Inspector
to me and did take an oath.

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001833

#3289/19-001833

FREDERICKS, GEORGE F,
927 HEMLOCK ST
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION and NOTICE OF HEARING

PURSUANT to the Article III, Section 12 of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION OF DEED OF RESTRICTION VIOLATION

Article III, Section 2 Conditions of Property (B) The exterior of a home on any lot shall be maintained free of mildew, mold and dirt, which is visible when the house is viewed from the street or from any adjacent lot.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 7 Lot # 11
927 HEMLOCK STREET
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Mold, dirt and mildew must be removed from the exterior of the home.

DATE OF VIOLATION FIRST OBSERVED: Apr 30, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

April 30, 2019 via First Class
via Certified return receipt requested.
05/31/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 10, 2019

If at the end of this period the home has not been pressure washed of all mold, dirt and mildew, the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 A.M. on the 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this Hearing will be to determine whether or not if the alleged violation(s) exist.

The Violations Committee will receive testimony and evidence at the Hearing and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the Hearing, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance to include administrative fees and contractor costs in accordance with Exhibit "A" of **Resolution 2015-16** with the charge posted to the owner's District account. Said charge will constitute as a lien recorded on the property. ***In addition all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE

PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (*FS 286.0105*) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OF OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.

Dated this Date, May 31, 2019

Stephane Fecteau

Stephane Fecteau, DOR Inspector
772-664-4722

DATE: May 31, 2019



927 hemlock
Stephane Fecteau
May 31, 2019

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001833

#3289/19-001833

FREDERICKS, GEORGE F,
927 HEMLOCK ST
BAREFOOT BAY, FL 32976

Respondent(s),

RE: 927 HEMLOCK STREET
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



The Foregoing instrument was acknowledged before me on day of 20 by Stephane Fecteau, DOR Inspector who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
Total	\$70

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
Total	Actual contractor invoiced cost plus \$89

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001642

#1672/19-001642

CHOMYSZAK, JEFF,
16231 RAINBOW SHORES DR, LOT 12
CLAYTON, NY 13624

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

ARTICLE III, SECT. 2 (C) (D) Condition of Prop. (C) Unauthorized items

(C) The lawn, landscaped areas, driveways and carports on each lot shall be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture, golf carts, vehicles, and barbecue grills. The intent of this requirement is to prohibit the accumulation and/or storage of items such as indoor furniture, automotive parts, cartons, boxes, debris and similar property which causes an unsightly appearance or nuisance if left on or about the exterior of a home.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 82 Lot # 5
812 SILVERTHORN COURT
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Unapproved items / Debris in back yard.

DATE OF VIOLATION FIRST OBSERVED: Apr 18, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

April 18, 2019 via First Class
05/17/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019



Mary Barry, DOR Inspector
772-664-4722

DATE: May 17, 2019

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

NOTICE OF HEARING

Hearing Date: 06/14/2019

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**. The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the property is found to be in violation, all social, family, and golf memberships affiliated with the property will be automatically suspended.*

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 17, 2019

Violations Committee/Deed of Restrictions Staff



812 Silverthorn. Unapproved items / Debris in back yard.

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001642

#1672/19-001642

CHOMYSZAK, JEFF,

16231 RAINBOW SHORES DR, LOT 12

CLAYTON, NY 13624

Respondent(s),

RE: 812 SILVERTHORN COURT

Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Mary Barry for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



Mary Barry, DOR Inspector

The Foregoing instrument was acknowledged before me on day of 20 by Mary Barry, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

Barefoot Bay Recreation District

Violations Committee

"Recommended Curative Action Plan"

Resolution 2013-05

Case no: 19-001642

Address: 812 SILVERTHORN COURT

Acct# 1672

Debris

- A. Occupation Status of Property: ____ Occupied ____ Unoccupied
- B. Recommended proposed secured relocation/storage area on property: ____
- C. Recommended proposed secured relocation/storage area off property: ____
- D. Recommended abatement agent: District Management
- E. Estimate of Expense: ____

Project Milestone Date Estimate

Project Start Date TBD

Project End Date TBD

Property Services Qty	Debris Removal - Case # 19-001642 Description	Unit Price	Customer # 1672 Line Total
() hrs	() Dump Truck and Driver	\$75.00	
() hrs	() Laborers	\$20.00	
	Disposal of Debris		\$50.00
	Disposal of Tires		
		Total	\$

This is a quotation on the goods or services named, subject to the conditions. Such conditions may include but not limited to whether the property is occupied.

Approved by M.Joy Liddy, Violations Committee Chair

I certify that the above mentioned property was abated by property services on _____. (Initials)

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001654

#2251/19-001654

SCOVILLE, TIMOTHY, LIFE ESTATE R,
45 DORAN LN
LUBEC, ME 04652

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

ARTICLE III, SECT. 2 (C) (D) Condition of Prop. (C) Unauthorized items

(C) The lawn, landscaped areas, driveways and carports on each lot shall be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture, golf carts, vehicles, and barbecue grills. The intent of this requirement is to prohibit the accumulation and/or storage of items such as indoor furniture, automotive parts, cartons, boxes, debris and similar property which causes an unsightly appearance or nuisance if left on or about the exterior of a home.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 74 Lot # 21
624 AMARYLLIS DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Unapproved items in carport (refrigerator in carport). Must be removed.

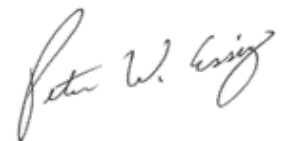
DATE OF VIOLATION FIRST OBSERVED: Apr 19, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

April 19, 2019 via First Class

06/03/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019



Peter Essig, DOR Inspector
772-664-4722

DATE: June 02, 2019

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**. The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the property is found to be in violation, all social, family, and golf memberships affiliated with the property will be automatically suspended.*

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

June 02, 2019

Violations Committee/Deed of Restrictions Staff



624 Amaryllis. Refrigerator in carport.

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001654

#2251/19-001654

SCOVILLE, TIMOTHY, LIFE ESTATE R,
45 DORAN LN
LUBEC, ME 04652

Respondent(s),

RE: 624 AMARYLLIS DRIVE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

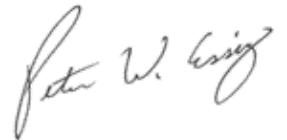
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



Peter Essig, DOR Inspector

The Foregoing instrument was acknowledged before me on day of 20 by Peter Essig, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

Barefoot Bay Recreation District

Violations Committee

"Recommended Curative Action Plan"

Resolution 2013-05

Case no: 19-001654

Address: 624 AMARYLLIS DRIVE

Acct# 2251

Debris

- A. Occupation Status of Property: ____ Occupied ____ Unoccupied
- B. Recommended proposed secured relocation/storage area on property: ____
- C. Recommended proposed secured relocation/storage area off property: ____
- D. Recommended abatement agent: District Management
- E. Estimate of Expense: ____

Project Milestone Date Estimate

Project Start Date TBD

Project End Date TBD

Property Services
Qty

Debris Removal - Case # 19-001654
Description

Unit Price

Customer # 2251
Line Total

() hrs

() Dump Truck and Driver

\$75.00

() hrs

() Laborers

\$20.00

Disposal of Debris

\$50.00

Disposal of Tires

Total

\$

This is a quotation on the goods or services named, subject to the conditions. Such conditions may include but not limited to whether the property is occupied.

Approved by

M.Joy Liddy, Violations Committee Chair

I certify that the above mentioned property was abated by property services on _____. (Initials)

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001950

#0017/19-001950

KAY, RUTH ELIZABETH,
1142 BAREFOOT CIR
SEBASTIAN, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

ARTICLE III, SECT. 2 (C) (D) Condition of Prop. (C) Unauthorized items

(C) The lawn, landscaped areas, driveways and carports on each lot shall be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture, golf carts, vehicles, and barbecue grills. The intent of this requirement is to prohibit the accumulation and/or storage of items such as indoor furniture, automotive parts, cartons, boxes, debris and similar property which causes an unsightly appearance or nuisance if left on or about the exterior of a home.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 52 Lot # 17
1142 BAREFOOT CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): unapproved items must be removed

DATE OF VIOLATION FIRST OBSERVED: May 04, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 04, 2019 via First Class
via Certified return receipt requested.
05/29/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 10, 2019



Stephane Fecteau, DOR Inspector
772-664-4722

DATE: May 29, 2019

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

NOTICE OF HEARING

Hearing Date: 06/14/2019

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the property is found to be in violation, all social, family, and golf memberships affiliated with the property will be automatically suspended.*

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 29, 2019

Violations Committee/Deed of Restrictions Staff



1142 bfc

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001950

#0017/19-001950

KAY, RUTH ELIZABETH,
1142 BAREFOOT CIR
SEBASTIAN, FL 32976

Respondent(s),

RE: 1142 BAREFOOT CIRCLE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



Stephane Fecteau, DOR Inspector

The Foregoing instrument was acknowledged before me on day of 20 by Stephane Fecteau, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

Barefoot Bay Recreation District

Violations Committee

"Recommended Curative Action Plan"

Resolution 2013-05

Case no: 19-001950

Address: 1142 BAREFOOT CIRCLE

Acct# 0017

Debris

- A. Occupation Status of Property: ____ Occupied ____ Unoccupied
- B. Recommended proposed secured relocation/storage area on property: ____
- C. Recommended proposed secured relocation/storage area off property: ____
- D. Recommended abatement agent: District Management
- E. Estimate of Expense: ____

Project Milestone Date Estimate

Project Start Date TBD

Project End Date TBD

Property Services
Qty

Debris Removal - Case # 19-001950
Description

Unit Price

Customer # 0017
Line Total

() hrs

() Dump Truck and Driver

\$75.00

() hrs

() Laborers

\$20.00

Disposal of Debris

\$50.00

Disposal of Tires

Total

\$

This is a quotation on the goods or services named, subject to the conditions. Such conditions may include but not limited to whether the property is occupied.

Approved by

M.Joy Liddy, Violations Committee Chair

I certify that the above mentioned property was abated by property services on _____. (Initials)

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002064

#1818/19-002064

RIGGIO, ANTHONY JR,
140 DIVISION AV
BLUEPOINT, NY 11715

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

ARTICLE III, SECT. 2 (C) (D) Condition of Prop. (C) Unauthorized items

(C) The lawn, landscaped areas, driveways and carports on each lot shall be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture, golf carts, vehicles, and barbecue grills. The intent of this requirement is to prohibit the accumulation and/or storage of items such as indoor furniture, automotive parts, cartons, boxes, debris and similar property which causes an unsightly appearance or nuisance if left on or about the exterior of a home.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 126 Lot # 29
1124 WATERWAY DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): unapproved item(s) in carport must be removed

DATE OF VIOLATION FIRST OBSERVED: May 14, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 14, 2019 via First Class
via Certified return receipt requested.
05/29/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 10, 2019



Stephane Fecteau, DOR Inspector
772-664-4722

DATE: May 29, 2019

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the property is found to be in violation, all social, family, and golf memberships affiliated with the property will be automatically suspended.*

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 29, 2019

Violations Committee/Deed of Restrictions Staff



1124 waterway

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002064

#1818/19-002064

RIGGIO, ANTHONY JR,
140 DIVISION AV
BLUEPOINT, NY 11715

Respondent(s),

RE: 1124 WATERWAY DRIVE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



Stephane Fecteau, DOR Inspector

The Foregoing instrument was acknowledged before me on day of 20 by Stephane Fecteau, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

Barefoot Bay Recreation District

Violations Committee

"Recommended Curative Action Plan"

Resolution 2013-05

Case no: 19-002064

Address: 1124 WATERWAY DRIVE

Acct# 1818

Debris

- A. Occupation Status of Property: ____ Occupied ____ Unoccupied
- B. Recommended proposed secured relocation/storage area on property: ____
- C. Recommended proposed secured relocation/storage area off property: ____
- D. Recommended abatement agent: District Management
- E. Estimate of Expense: ____

Project Milestone Date Estimate

Project Start Date TBD

Project End Date TBD

Property Services
Qty

Debris Removal - Case # 19-002064
Description

Unit Price

Customer # 1818
Line Total

() hrs

() Dump Truck and Driver

\$75.00

() hrs

() Laborers

\$20.00

Disposal of Debris

\$50.00

Disposal of Tires

Total

\$

This is a quotation on the goods or services named, subject to the conditions. Such conditions may include but not limited to whether the property is occupied.

Approved by

M.Joy Liddy, Violations Committee Chair

I certify that the above mentioned property was abated by property services on _____. (Initials)

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002108

#0322/19-002108

ALONSO, DANI ALMEIDA,
401 OSPREY DR
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

ARTICLE III, SECT. 2 (C) (D) Condition of Prop. (C) Unauthorized items

(C) The lawn, landscaped areas, driveways and carports on each lot shall be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture, golf carts, vehicles, and barbecue grills. The intent of this requirement is to prohibit the accumulation and/or storage of items such as indoor furniture, automotive parts, cartons, boxes, debris and similar property which causes an unsightly appearance or nuisance if left on or about the exterior of a home.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 85.A Lot # 7
401 OSPREY DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Unapproved items/debris on property. Must be removed.

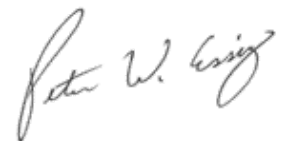
DATE OF VIOLATION FIRST OBSERVED: May 16, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

May 19, 2019 via First Class

06/03/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019



Peter Essig, DOR Inspector
772-664-4722

DATE: June 02, 2019

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

NOTICE OF HEARING

Hearing Date: 06/14/2019

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**. The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the property is found to be in violation, all social, family, and golf memberships affiliated with the property will be automatically suspended.*

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

June 02, 2019

Violations Committee/Deed of Restrictions Staff



401 Osprey. Unapproved item/debris in yard (boat engine)

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002108

#0322/19-002108

ALONSO, DANI ALMEIDA,

401 OSPREY DR

BAREFOOT BAY, FL 32976

Respondent(s),

RE: 401 OSPREY DRIVE

Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

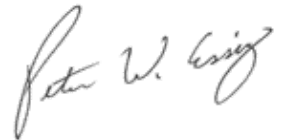
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



Peter Essig, DOR Inspector

The Foregoing instrument was acknowledged before me on day of 20 by Peter Essig, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

Barefoot Bay Recreation District

Violations Committee

"Recommended Curative Action Plan"

Resolution 2013-05

Case no: 19-002108

Address: 401 OSPREY DRIVE

Acct# 0322

Debris

- A. Occupation Status of Property: ____ Occupied ____ Unoccupied
- B. Recommended proposed secured relocation/storage area on property: ____
- C. Recommended proposed secured relocation/storage area off property: ____
- D. Recommended abatement agent: District Management
- E. Estimate of Expense: ____

Project Milestone Date Estimate

Project Start Date TBD

Project End Date TBD

Property Services
Qty

Debris Removal - Case # 19-002108
Description

Unit Price

Customer # 0322
Line Total

() hrs

() Dump Truck and Driver

\$75.00

() hrs

() Laborers

\$20.00

Disposal of Debris

\$50.00

Disposal of Tires

Total

\$

This is a quotation on the goods or services named, subject to the conditions. Such conditions may include but not limited to whether the property is occupied.

Approved by

M.Joy Liddy, Violations Committee Chair

I certify that the above mentioned property was abated by property services on _____. (Initials)

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001340

#3051/19-001340

BOWERS, HANK,
630 MARLIN CIR
SEBASTIAN, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

ARTICLE III, SECT.10 and SECT. 2(D) Condition of Skirting

(10) The skirting material on all manufactured or modular homes shall be maintained at all times so that such skirting remains in substantially the same condition as when it was newly installed. No gaps or openings will be permitted to exist. Vents are to be maintained in good condition.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes or the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 11 Lot # 22
630 MARLIN CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Skirting damage. Must be repaired.

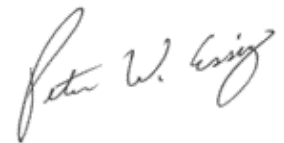
DATE OF VIOLATION FIRST OBSERVED: Apr 03, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

04/03/2019 via First Class

05/20/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019



Peter Essig, DOR Inspector
772-664-4722

DATE: May 20, 2019

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**. The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.*

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 20, 2019

Violations Committee/Deed of Restrictions Staff



630 Marlin. Skirting damage.

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001340

#3051/19-001340

BOWERS, HANK,

630 MARLIN CIR

SEBASTIAN, FL 32976

Respondent(s),

RE: 630 MARLIN CIRCLE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

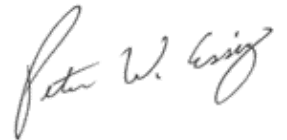
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



Peter Essig, DOR Inspector

The Foregoing instrument was acknowledged before me on day of 20 by Peter Essig, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001905

#1239/19-001905

ZINCK, KATHERINE ELIZABETH,
937 ORIOLE CIR
SEBASTIAN, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

ARTICLE III, SECT.11 and SECT 2(D) Exterior Maintenance

(11) The exterior of each home, including, but not limited to, windows, screens, roofs, gutters, and siding shall be maintained in good condition at all times and/or in substantially the same condition as when each item was newly installed without gaps or openings. Only materials as approved by ARCC shall be used.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 134 Lot # 18
937 ORIOLE CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): siding damage (repeat violation)

DATE OF VIOLATION FIRST OBSERVED: May 02, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

05/02/2019 via First Class
via Certified return receipt requested.
05/24/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 10, 2019



Stephane Fecteau, DOR Inspector
772-664-4722

DATE: May 24, 2019

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

NOTICE OF HEARING

Hearing Date: 06/14/2019

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.*

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 24, 2019

Violations Committee/Deed of Restrictions Staff



937 oriole

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001905

#1239/19-001905

ZINCK, KATHERINE ELIZABETH,
937 ORIOLE CIR
SEBASTIAN, FL 32976

Respondent(s),

RE: 937 ORIOLE CIRCLE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



Stephane Fecteau, DOR Inspector

The Foregoing instrument was acknowledged before me on day of 20 by Stephane Fecteau, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001987

#1239/19-001987

ZINCK, KATHERINE ELIZABETH,
937 ORIOLE CIR
SEBASTIAN, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

ARTICLE III, SECT.11 and SECT 2(D) Exterior Maintenance

(11) The exterior of each home, including, but not limited to, windows, screens, roofs, gutters, and siding shall be maintained in good condition at all times and/or in substantially the same condition as when each item was newly installed without gaps or openings. Only materials as approved by ARCC shall be used.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 134 Lot # 18
937 ORIOLE CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Exposed wood (door) must be covered or painted

DATE OF VIOLATION FIRST OBSERVED: May 08, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

via First Class
via Certified return receipt requested.
05/24/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 10, 2019



Stephane Fecteau, DOR Inspector
772-664-4722

DATE: May 24, 2019

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

NOTICE OF HEARING

Hearing Date: 06/14/2019

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.*

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 24, 2019

Violations Committee/Deed of Restrictions Staff



937 oriole

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001987

#1239/19-001987

ZINCK, KATHERINE ELIZABETH,
937 ORIOLE CIR
SEBASTIAN, FL 32976

Respondent(s),

RE: 937 ORIOLE CIRCLE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



Stephane Fecteau, DOR Inspector

The Foregoing instrument was acknowledged before me on day of 20 by Stephane Fecteau, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002331

#0017/19-002331

KAY, RUTH ELIZABETH,
1142 BAREFOOT CIR
SEBASTIAN, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

ARTICLE III, SECT.11 and SECT 2(D) Exterior Maintenance

(11) The exterior of each home, including, but not limited to, windows, screens, roofs, gutters, and siding shall be maintained in good condition at all times and/or in substantially the same condition as when each item was newly installed without gaps or openings. Only materials as approved by ARCC shall be used.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 52 Lot # 17
1142 BAREFOOT CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): screen damage (porch)

DATE OF VIOLATION FIRST OBSERVED: May 29, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

05/29/2019 via First Class
via Certified return receipt requested.
05/29/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 10, 2019



Stephane Fecteau, DOR Inspector
772-664-4722

DATE: May 29, 2019

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

NOTICE OF HEARING

Hearing Date: 06/14/2019

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**. The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.*

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

May 29, 2019

Violations Committee/Deed of Restrictions Staff



1142 bfc

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-002331

#0017/19-002331

KAY, RUTH ELIZABETH,
1142 BAREFOOT CIR
SEBASTIAN, FL 32976

Respondent(s),

RE: 1142 BAREFOOT CIRCLE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Stephane Fecteau for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



Stephane Fecteau, DOR Inspector

The Foregoing instrument was acknowledged before me on day of 20 by Stephane Fecteau, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001341

#3051/19-001341

BOWERS, HANK,
630 MARLIN CIR
SEBASTIAN, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

ARTICLE III, SECT. 5 Nuisance

No nuisance shall be allowed upon any Lot, nor shall the occupant of any Lot be permitted to conduct or engage in any activity which interferes with the peaceful possession and proper use of neighboring property by the Owners thereof. No person shall make unlawful use of any Lot within Barefoot Bay, and the occupants of all Lots shall comply with all valid laws, zoning ordinances and regulations of Brevard County and the State of Florida.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 11 Lot # 22
630 MARLIN CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Nuisance: Bees/wasps. Must be exterminated.

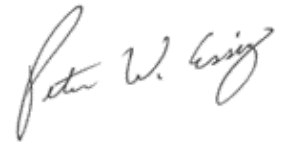
DATE OF VIOLATION FIRST OBSERVED: Apr 03, 2019

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

04/03/2019 via First Class

05/20/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: June 11, 2019



Peter Essig, DOR Inspector
772-664-4722

DATE: May 20, 2019

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING
Hearing Date: 06/14/2019**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 06/14/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**. The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.*

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

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May 20, 2019

Violations Committee/Deed of Restrictions Staff



630 Marlin. Bee/wasp infestation in skirting hole

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-001341

#3051/19-001341

BOWERS, HANK,

630 MARLIN CIR

SEBASTIAN, FL 32976

Respondent(s),

RE: 630 MARLIN CIRCLE
Barefoot Bay, FL 32976

AFFIDAVIT OF NOTICES

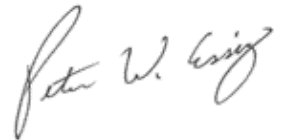
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Peter Essig for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, return receipt requested, a copy of which is attached hereto.
3. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the day of 2019, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this day of 20 .



Peter Essig, DOR Inspector

The Foregoing instrument was acknowledged before me on day of 20 by Peter Essig, who is personally known to me and did take an oath.

Notary Public
State of Florida at Large