



# Office of Environmental Enforcement



Escambia County Central Office Complex  
 3363 West Park Place  
 Pensacola, Florida 32505  
 Phone: 850.595-1820  
 Fax: 850.595-1840  
 Sandra Slay, Division Manager

**Property Address:** 2400 Blk E Johnson  
**Property Owner:** Etheridge Property Mgt.  
**Original Complaint:** Overgrown holding pond  
**EE Case #:** CE04-04-0229

- 04/15/04 Received complaint for overgrown holding pond.
- 04/21/04 Notice of violation sent certified mail and regular mail. Certified mail returned signed for by Sandra Boner.
- 05/05/04 Received letter from Etheridge Property Management stating they were not the owners of holding pond.
- 05/04/04 Memo sent to county legal for review of true ownership. See attachments.
- 05/18/04 E-mail from Stephen West stating to notice Donald and Robyn Brantley with notice of violation.
- 05/28/04 Notice of Violation sent to owners regular and certified mail. Notice received and signed for by Donald Brantley.
- 08/26/04 Title search ordered and shows title vested in Donald S. Brantley and Robyn S. Brantley.
- 12/10/04 Violations remain. Scheduled for Special Magistrate.
- 12/28/04 Hearing held and owners were found to be in violation. Ordered to remove all overgrowth. \$25.00 per day fines, \$675.00 court cost and a dead line of 1/10/05 to abate violations.
- 10/27/05 County filed foreclosure on property.

Lien amount	<u>Cost</u>
Court Cost	\$675.00
Daily Fines (\$25.00 per day 1/11/05-10/27/05)	<u>\$7,225.00</u>
<b>TOTAL</b>	<b>\$7,900.00</b>

This amount does not include the Clerk's recording fees or interest.

## Sandra F Slay

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**From:** Don Brantley [donbrantley2@att.net]  
**Sent:** Friday, July 22, 2011 7:22 AM  
**To:** Sandra F Slay  
**Subject:** Lien against Cambridge mills Holding Pond 3

Sandra,

Thank you for helping me with getting things in order to appear before the County Commissioners two weeks from today. If anything about this email doesn't meet the Boards standards to be put on the agenda, which should be on August 4, 2011, please let me know.

I would like to thank the Board for allowing me to present my request before them this 21 day of July 2011.

To reiterate my situation let me begin with I learned of this lien in the amount of \$675.00 beginning on January 11,2005. Last week as the title was being searched in order to sell my Monther-in-law's House.

My wife's mother died 2 years ago. She had no money to pay for her care at a local nursing home, so she borrowed \$100,000 from Regions bank as a home equity loan. My wife and her sisters had to rent the house in-order to pay the bank. A couple of months ago they realized they were losing money every month, as well as the renters announced they would be moving out. None of them could pick up the slack. They would loose the house. One sister is a retiring school teacher and has lost most of her pension to the economy. The other is retired and tries to live on her Social Security. My wife and I were the well to do side of the family developing and building in Escambia County. However, 3 years ago I had a lung removed and have not been able to work since. Also I am, 30 months behind in my house payments and may be foreclosed on at any time. Plus my subdivision Lakes of Carrington was foreclosed on by First National Bank because the two builders who had all the lots under-contract went broke, didn't pay me and I couldn't pay the bank. Links of Carrington, my Golf Course Community North of Cantoment was foreclosed on last Tuesday by the contractor. Presently my only income is SSDI.

This \$20,000 my wife was going to get from the sale of her mothers house will have to last us till I don't know when. I am currently in Vocational rehab trying to find something I can do to put food on the table, not to mention

paying utilities, insurance etc. I can only work a couple of hours per day and with the present job market, Vocational rehab cannot find me a job. They are thinking about paying for me to get my real estate license, but that may be jumping out of the frying pan into the

fire. I do own a couple of out parcels, but they are in jeopardy to the creditors due to deficiency's after the foreclosures.

I am telling you all this because the \$7200.00, due to the \$25.00 per day charge is all we have to live on. Plus remember the situation was just 3 months before

this lien was issued, I lost my house in hurricane Ivan, I mean down to a vacant lot. My office was in my home and even though I signed for the certified

letter, things were so upside down, I have no recollection of ever seeing it. If I had I would have taken it to my attorney for council on how to handle it. We were already not paying the taxes, which I am sure you understand, and at some point the county said they were foreclosing on me due to non payment of taxes. This was great because all I ever wanted was for the county to accept the pond for maintenance. Back when the Cambridge Mills was approved by the county, Cindy Anderson gave us a letter saying the county would accept the pond. Then they didn't because it didn't have a positive outflow. The county should have said that to begin with because it was designed and approved without

a positive outflow.

I tried to maintain it, but a neighbor would call every other week and complain to code enforcement and I would clean it up and the code enforcement officer would approved it then the county came out and re-cleaned it and charged me. This would have never happened if the county had accepted it when complete, or rejected it when designed. I sure didn't want to own a holding pond.

Regardless, I spent a lot of money keeping it up and legal fees from my attorney

trying to get the county to accept it. At one point I offered to put the gate and ramp in, but Richard ? said he still wouldn't accept it. I could have paid to do that then but now I really can't afford \$7200.00. Please forgive me of the penalty. This is truly a hardship situation. Also I forgot to mention that just a few months ago 2 lots I still owned in White Cedar Gardens were sold for the tax deeds even though they were worth currently \$40,000 each, I just didn't have the money to keep them.

Over the years I have done many things for Escambia County above the call of duty. A few of them are listed below:

1. I connected Olive Road to Nine Mile road by developing and constructing Cody

Rd. The county paid a part of this, but when I asked the county to help with the entire expense, they refused to do it.

2. I recently gave the county approx. 25' X 150' on the corner of Olive and Cody so the county could add a turn lane. I didn't ask the county to pay anything for this valuable corner, but asked for help with the White cedar taxes

which includes the Cody road property. They would not help. As stated above I lost \$80,000 in lots to tax liens.

3. I had completed White Cedar Gardens several years ago, and was ready to begin selling lots. The county spent 1 1/2 years debating whether to extent I 110 North through White Cedars. I had to pay the Bank \$25,000 per month losing \$450,000 in interest to the bank. I continued to ask the county to make a decision so I could sell lots or the county could buy the property. They took their time, and gave me nothing for my loss.

I was born in Escambia County and lived here all my life. My Dad built and developed for 25 years before I did. I have spent my life promoting Escambia County. I am simply asking for a little help from the county.

Please Forgive the penalty portion of the Lien

Sincerely  
Don Brantley

## Sandra F Slay

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**From:** Becky L. Azelton  
**Sent:** Thursday, July 21, 2011 10:19 AM  
**To:** Sandra F Slay  
**Subject:** FW: 2400 blk Johnson Ave

This is the one that will be coming to PF tonight. Thanks

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**From:** Cheri D. Cook  
**Sent:** Wednesday, July 13, 2011 2:07 PM  
**To:** Becky L. Azelton  
**Cc:** Melissa A. Reber  
**Subject:** FW: 2400 blk Johnson Ave

Becky,

Per your request.

Cheri

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**From:** Brenda Robinson [mailto:brobinson@escambiaclerk.com]  
**Sent:** Wednesday, July 13, 2011 1:33 PM  
**To:** Melissa A. Reber; Brenda Robinson  
**Cc:** Dianne D. Taylor; Cheri D. Cook  
**Subject:** RE: 2400 blk Johnson Ave

Melissa –

I am sorry. But, I was not waiting on Steve's response. I am waiting to find out how much is owed on this lien. I had already spoken with Steve regarding this matter before I ever spoke with you. It had already been determined that the lien needed to be paid in order for Brantley's other properties to be released from the lien. As I attempted to explain yesterday, this particular code enforcement lien was not foreclosed. So, it needs to be paid. However, I cannot "advise" the title company on how much is owed on the lien when I can not seem to get my hands on any information as to what is due. Does anyone know how much the County spent in connection with this parcel of property as it relates to the code enforcement lien?

Brenda B. Robinson  
Director - Judicial Services  
Official Records Division  
Clerk of the Circuit Court & Comptroller  
Escambia County, Florida  
(850)595-3937  
(850) 595-4827 (fax)

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**From:** Melissa A. Reber [mailto:MAREBER@co.escambia.fl.us]  
**Sent:** Wednesday, July 13, 2011 1:10 PM  
**To:** Brenda Robinson

**Cc:** Dianne D. Taylor; Cheri D. Cook  
**Subject:** FW: 2400 blk Johnson Ave

Brenda:

Steve West's response is below. Does this help so you can advise the title company?

Melissa Reber, Abatement Officer  
Escambia County Florida  
Environmental Enforcement Division  
Escambia County Central Office Complex  
3363 West Park Place  
Pensacola, FL 32505  
PH: 850.595.1836; Cell: 850.554.2760  
FX: 850.595.1840

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**From:** Stephen G. West  
**Sent:** Wednesday, July 13, 2011 1:02 PM  
**To:** Melissa A. Reber  
**Cc:** Brenda J. Spencer  
**Subject:** RE: 2400 blk Johnson Ave

Melissa:

The Nixon Firm did not foreclose any code enforcement liens. So the 2004 code enforcement lien is still unsatisfied, and it encumbers all of the property of the violator even if the violation parcel is now with the County.

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**From:** Melissa A. Reber  
**Sent:** Wednesday, July 13, 2011 12:07 PM  
**To:** Stephen G. West  
**Cc:** Brenda Robinson; Dianne D. Taylor  
**Subject:** 2400 blk Johnson Ave

Steve:

We have a title company calling Brenda in Official Records regarding a piece of property they are attempting to do a closing on. It appears the property they are trying to close on may be encumbered by a couple of old Nuisance Abatement Liens. The history is there a holding pond owned by Donald and Robyn Brantley. We took the property to court on two occasions which resulted in cleaning it one time and placing the lien for that clean-up (BK 4865 PG 1800) We then took it to court again in 2004 and getting an Order (BK 5554 PG 1685) which had \$675.00 in court costs however, we did not clean it this time because Nixon and Assoc. foreclosed on it in 2005 and the County took Certificate of Title.

The question is: Since we took title of the holding pond with the two liens on it are the liens gone? Nixon & Assoc. never did or recorded a release of lien they are still showing in the Official Records. I understand that since the County now owns it we are not responsible for the lien but don't those liens still encumber the other properties that the Brantley's owned at the time we placed those liens? And in particular the property they are currently trying to sell? Below you will see a re-cap from Dianne Taylor. Brenda is waiting on your advise before she advises the title company. Thanks

Melissa Reber, Abatement Officer  
Escambia County Florida  
Environmental Enforcement Division  
Escambia County Central Office Complex  
3363 W  
Pensacola, FL 32505

PH: 850.595.1836; Cell: 850.554.2760  
FX: 850.595.1840

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**From:** Dianne D. Taylor  
**Sent:** Wednesday, July 13, 2011 11:43 AM  
**To:** Melissa A. Reber  
**Cc:** 'Brenda Robinson'  
**Subject:** 2400 blk Johnson Avenue

Melissa,

Attached is the information concerning another lien, a Code Enforcement lien CE-04-04-0229. This lien was not included in the 2005 Nixon & Associates foreclosure [suit 1 property 10] on the above property so I believe Brantley owes you on the CE Lien. However, you need to check with Steve. The time-frame and information is below.

3/7/2002 Nuis Abate lien [4865/1800] CE-01-07-0432  
1/4/2005 CE Lien [5554/1685] CE-04-04-0229  
4/20/2005 Lis Pendens CE-01-07-0432  
9/16/2005 Final Judgment [5729/622] CE-01-07-0432

Dianne Taylor  
Escambia County BOCC  
Management & Budget Services Department  
221 Palafox Place  
Pensacola, FL 32502  
Voice: 850-595-4996  
Email: [dianne\\_taylor@co.escambia.fl.us](mailto:dianne_taylor@co.escambia.fl.us)

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Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Donald S. and  
 Robyn S. Brentley  
 461 Madura Dr.  
 Gulf Breeze, FL 32561  
 #980 04-04-0229

2. Article Number

(Transfer from service label)

7003 2260 0000 2667 3561

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*[Handwritten Signature]*

Agent

Addressee

B. Received by (Printed Name)

Don Brentley

C. Date of Delivery

6/7/04

D. Is delivery address different from item 1?

Yes

If YES, enter delivery address below:

No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

USPS RECEIPT

**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only. No Insurance Coverage Provided)

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

GULF BREEZE FL 32561

Postage	\$ 6.07
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$ 10.12</b>

7003 2260 0000 2667 3561

FL 32506-5906  
 PENSACOLA  
 MAY 28 2004  
 05/28/2004 USPS

Sent to Brentley  
 Street, Apt. No.,  
 or PO Box No. 461 Madura Dr  
 City, State, ZIP+4 Gulf Breeze, FL 32561

PS Form 3800 June 2002



Department of Solid Waste Management  
Environmental Code Enforcement Division

1190 W. Leonard St.  
Pensacola, Florida 32501  
Phone: 850.595.3515  
Fax: 850.595.3407



R. Mark Triplett, P.E., DEE Director

May 28, 2004

Return Receipt Requested # 7003 2260 0000 2667 3561  
Re: Case CE04-04-0229

Donald S. and Robyn S. Brantley  
4161 Madura Dr.  
Gulf Breeze, FL 32561

FILE COPY

Dear Donald S. and Robyn S. Brantley:

NOTICE OF VIOLATION(S)

This letter is to advise you of the violation(s) for which you are responsible and to seek your cooperation in resolving this matter. An investigation conducted on **April 20, 2004 at PR # 161S30-4106-000-020 also known as 2400 Blk. Johnson Ave.** (See attached legal description), reveals that a violation(s) of State Statute(s)/Escambia County Ordinance(s) LDC 4.06.13 and **Sec. 30-203(e)** exists at the described location.

Continuing Obligation LDC 4.06.13  
Method of abating

Continue to maintain all approved elements of an approved site plan, including landscape, appearance and other site development performance standards

Nuisance Conditions Sec. 30-203(e) The existence of overgrowth on any residentially or commercially classified lands, except on lands classified agricultural, or on undeveloped and uncleared land in its natural vegetative state, or on land in which the property owner is in the process of restoring to its natural vegetative state and for which there are no plans to build upon and upon which no building structures or signs of such structures exist above ground. Such property shall be subject to the following:

- The minimum parcel size shall be one acre or more; and
- The parcel may not be located in a platted or unplatted residential subdivision; and
- The property owner must execute a good faith affidavit attesting to his intent to restore the subject property to its natural vegetative state. This affidavit shall be recorded with the clerk of the circuit court and subsequent development of the parcel shall not be commenced until any overgrowth on the property has been cleared pursuant to this article

Method of abating nuisances Sec. 30-204(d)

Removal of all overgrowth and continue a scheduled maintenance

We request that you contact **Officer Reber at 595-3523 with Environmental Code Enforcement within five (5) days after receiving this letter to arrange corrective action to be taken.** Please be advised this letter is part of our investigative procedures according to State Statute(s)/Escambia County Ordinances(s). We look forward to your cooperation in completing this investigation. Failure to abate the violation(s) within ten (10) calendar days of receipt of this certified notice will result in legal action by Escambia County Environmental Code Enforcement, including but not limited to clean up of the property, demolition of deteriorated or dilapidated building(s) and the imposition of a lien for any cost incurred to the County for these actions.

Donald S and Robyn S. Brantley  
CECE04-04-0229  
May 28, 2004  
Page 2 of 2

You should abate or contest the violation(s) in writing within *ten (10) days* of receipt of this notice. Mail request, ***"Return Receipt"***, to the attention of **Charles E. Walker, Chief, Department of Solid Waste Management, Environmental Code Enforcement Division, 1190 W. Leonard Street, Pensacola, Florida 32501.**

Sincerely,

Melissa Reber #980  
Environmental Code Enforcement Officer



Charles E. Walker, Chief  
Environmental Code Enforcement Division

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA, IN AND FOR ESCAMBIA COUNTY  
CIVIL ACTION

ERNEE LEE MAGAHA  
CLERK OF CIRCUIT COURT  
ESCAMBIA COUNTY, FL

2005 APR 13 P 3:39

CIRCUIT CIVIL DIVISION  
FILED & RECORDED

ESCAMBIA COUNTY, FLORIDA,  
A political subdivision of the State of Florida,  
Plaintiff,

Case Number: 2005 CA 689

vs.

Division: B

CERTAIN LANDS upon which nuisance  
abatement liens are delinquent,

Defendant(s).

ERNEE LEE MAGAHA  
CLERK OF CIRCUIT COURT  
ESCAMBIA COUNTY, FL  
2005 APR 20 P 12:08  
CIRCUIT CIVIL DIVISION  
FILED & RECORDED

**NOTICE OF LIS PENDENS**

**TO THE DEFENDANTS AND TO ALL OTHERS WHOM IT MAY CONCERN:**

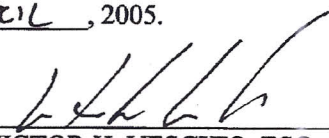
YOU ARE HEREBY NOTIFIED of the institution of the above-styled action by the above-named Plaintiff against you, seeking to foreclose delinquent special assessments on the following described property located in Escambia County, Florida, to-wit:

(See Descriptions contained in Exhibit "A" Attached hereto)

The relief sought as to such property is for the foreclosure of nuisance abatement liens.

YOU WILL PLEASE GOVERN YOURSELF ACCORDINGLY.

Dated this 8<sup>th</sup> day of APRIL, 2005.

  
\_\_\_\_\_  
VICTOR H. VESCHIO, ESQ.  
Nixon Firm, LLC  
Joyner Jordan-Holmes, P.A.  
3105 W. Waters Avenue, #204  
Tampa, Florida 33614  
PH (813) 933-7722 or 866-220-2400  
FBN: 0136794  
Attorneys for Plaintiff

Foreclosure

E X H I B I T A

PROPERTY NUMBER 1

County Account Number: 11-2631-000

- a) Legal Description: W 206 FT OF S 460 FT N 560 FT OF LT 7 BLK A PENSACOLA HIGHLANDS PLAT DB 102 P 178 OR 4762 P 1182 SEC 9/17/T 1N R 31 LESS OR 1574 P 308 WALKER LESS OR 1900 P 827 WALKER.
- b) Property Address: 242 Madrid Road
- c) Record Title Holder (Owner): First Union National Bank

PROPERTY NUMBER 2

County Account Number: 06-0129-000

- a) Legal Description: LOT 12, ROOSEVELT SUBDIVISION, BEING A PORTION OF LOT 3 OF A SUBDIVISION OF LOT 1, IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ACCORDING TO A MAP OF SAID ROOSEVELT SUBDIVISION RECORDED IN PLAT BOOK 2, AT PAGE 62 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA

Property Address: 2923 Mission Road, Pensacola, FL 32505

PROPERTY NUMBER 3

County Account Number: 06-2410-000

- a) Legal Description: BEGIN 15 FEET SOUTH OF NE CORNER OF S ½ OF LOT 9, CONTINUE SOUTH 61', WEST 100' NORTH 26' WEST 42', N 50', E 142' TO A POINT OF BEGINNING; SECTION 17, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA.
- b) Property Address: 1201 W. Cross Street; Pensacola, Florida
- c) Record Title Holder (Owner): Estate of William Dortch, Will Dortch and Lelia May Dortch

PROPERTY NUMBER 4

County Account Number: 05-2200-108

- a) Legal Description: LOT 4, VALENCIA ARMS, A SUBDIVISION OF A PORTION OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 30 EAST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO PLAT BOOK 7, PAGE 99, PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- b) Property Address: 829 Massachusetts Avenue
- c) Record Title Holder (Owner): Bobby L. Hayes, Jr. and Kasandra L. Hayes

PROPERTY NUMBER 5

County Account Number: 08-1387-000

- a) Legal Description: LOT 17, BLOCK 2, DURSCHLAG'S SUBDIVISION, IN SECTIONS 50 AND 51, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ACCORDING TO PLAT RECORDED IN PLAT BOOK 1, PAGE 44 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- b) Property Address: 10 Runyan Street
- c) Record Title Holder (owner): Rosia Lee K. Nelson

PROPERTY NUMBER 6

County Account Number: 13-2215-750

- a. Legal Description: LOT 22, BLOCK 134, EAST KING TRACT, CITY OF PENSACOLA, BELMONT TRACT,, ESCAMBIA COUNTY, FLORIDA.
- b. Property Address: 2300 Block N. Baylen Street

Record Title Holder (owner): Liza Manuel

PROPERTY NUMBER 7

County Account Number: 02-0538-000

- a. Legal Description: ALL OF BLOCK 12 AND # ½ OF ELEANOR AVENUE ADJOINING ON WEST, LESS AND EXCEPT THE SOUTH 70 FEET OF THE NORTH 140 FEET OF THE EAST 130 FEET, AND LESS AND EXCEPT THE SOUTH 210 FEET AND THE E ¼ OF ELEANOR AVENUE ADJOINING THE SOUTH 210 FEET.
- b. Property Address: 8800 Block N. Doris Avenue, SW corner of Doris/Caro Street

Record Title Holder (owner): Jo Ellen Peters

PROPERTY NUMBER 8

County Account Number: 06-2867-500

- a. Legal Description: SOUTH 90 FEET OF LOTS 14 AND 15, BLOCK 41, ENGLEWOOD HEIGHTS, ACCORDING TO PLAT RECORDED IN DEED BOOK 59, PAGE 107 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- b. Property Address: 1004 W. Hatton Street
- c. Record Title Holder (owner): Leroy Henderson and Mattie L. Henderson

PROPERTY NUMBER 9

County Account Number: 06-1481-000

- a. Legal Description: LOT 15, BLOCK 55, HAZELHURST, A SUBDIVISION OF LOT 4, AND PART OF LOTS 3 & 5, IN SECTION 17, AND LOTS 3 & 4, SECTION 31, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN O.R. BOOK 2701, PAGE 569, PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- b. Property Address: 2708 W. Bobe Street

Record Title Holder (owner): Donald L. Kent and Shirley Ann Kent

PROPERTY NUMBER 10

County Account Number: 02- 2098-200

- a. Legal Description: PARCEL "B" CAMBRIDGE MILLS, AS RECORDED IN PLAT BOOK 15, PAGES 20 AND 20A OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- b. Property Address: 2400 Block Johnson Avenue

Record Title Holder (owner): Donald S. Brantley and Robyn S. Brantley

PROPERTY NUMBER 11

County Account Number: 09-0795-300

- a. Legal Description: A portion of Section 16, Township 1 South, Range 31 West, Escambia County, Florida, as more

particularly described as follows: BEG AT SW COR OF SE  
¼ OF SEC 16 N 1 DEG 75 MIN W 238 FT TO NLY R/W LI OF US  
HWY 90 S 60 DEG 30 MIN E ALG SD R/W 2961 61/100 FT N 0  
DEG 50 MIN E 115816/100 FT TO POB CONT N 0 DEG 50 MIN E  
207 72/100 FT N 89 DEG 10 MIN W 208 72/100 FT S 0 DEG  
50 MIN W 208 72/100 FT S 89 DEG 10 MIN E 208 72/100 FT  
TO POB OR 1215 P 583 OR 4278 P 688 CASE #98-136-CP-03,  
ESCAMBIA COUNTY, FLORIDA.

- b. Property Address: 7501 Jamesville Road, Pensacola, FL  
32526

Record Title Holder (owner): Jimmie W. Lee

PROPERTY NUMBER 12

County Account Number: 06-0479-000

- a. Legal Description: Lot 7, Block R, Re-subdivision of a  
Portion of Oakcrest Unit No. 2, a subdivision of a  
portion of Section 16, Township 2 South, Range 30 West,  
Escambia County, Florida, as recorded in Plat Book 3,  
Page 82 of the Public Records of Escambia County,  
Florida.
- b. Property Address: 202 Opal Avenue
- c. Record Title Holder (owner): Mark Vigo

**From:** "Stephen West" <stephen\_west@co.escambia.fl.us>

Thu 4:17 PM

**Subject:** Cambridge Mills Subdivision

**To:** Melissa Reber <melissa\_reber@co.escambia.fl.us>

Melissa:

I have reviewed the information you provided regarding the holding pond at Cambridge Mills subdivision. Please use the information in the Tax Collector's database and serve Donald and Robyn Brantley with the Notice of Violation. Even though the Brantley's attempted to convey the pond to the homeowners' association, the conveyance was never accepted. The affidavit you provided confirms this. As a result, the Brantleys remain the owner's of the holding pond.

# Memorandum

Department of Solid Waste Management  
Environmental Code Enforcement Division  
1190 W. Leonard St.  
Pensacola, Florida 32501  
Phone: 850.595.3537



**To:** Steven West  
Assistant County Attorney

**From:** Melissa Reber #980 *M. Reber*  
Environmental Enforcement Officer

**Thru:** Charles E. Walker, Chief  
Environmental Enforcement Division

**Re:** Code Enforcement Case Review

**Date:** May 4, 2004

I submit for your review and opinion on ownership involving a holding pond for the Cambridge Mills Homeowners Association (HOA) located in the 2400 Blk. E. Johnson Ave. I have attached ownership and official records information as well.

April 15, 2004 Complaint received regarding overgrown holding pond

April 20, 2004 Initial investigation revealed minor overgrowth in this holding pond. Pond is dry. conversation with Chris Curb in Engineering to see if he had any history on the pond. He advised he is well aware the pond does function well, he said very well however there was a punch list given to the developer advising the County would not except till items were done. Chris Curb advised the Engineering file contains much correspondence on this pond.

April 21, 2004 Certified letter sent to owner of record with Tax Collectors Office as well as certified copy to Ethridge Property Management, property managers for Cambridge Mills HOA. Official Records show a deed from Donald S. Brantley (Developer) to Cambridge Mills HOA recorded in Official Records in September 2003 deeding this holding pond over. December 2003 an Affidavit was recorded in Official Records by Cambridge Mills HOA basically contesting the deed from Mr. Brantley. Phone call to Ethridge Properties to determine if they maintain the holding pond. Representative advised they do not and explained their position. I told her that I had to notice who I show as owner of record and they would have to handle the deed matter through civil action

April 30, 2004 Received a call from Ethridge Properties advising that they received my letter and went to the Property Appraisers Office presented the Affidavit and that the records will be changed back to Mr. Brantley.

May 4, 2004 Tax collectors records now reflect Donald S. Brantley however Property Appraisers Office Still show Cambridge Mills HOA as owner.





**Department of Solid Waste Management  
Environmental Code Enforcement Division**

1190 W. Leonard St.  
Pensacola, Florida 32501  
Phone: 850.595.3515  
Fax: 850.595.3407



*R. Mark Triplett, P.E., DEE Director*

4/21/2004

Return Receipt Requested # 7003 2260 0007 4225 0411  
Re: Case CE04-04-0229

Cambridge Mills Homeowners Association, Inc.  
8401 Millstream Dr.  
Pensacola, FL 32514

Dear Gentlemen/Ladies:

**FILE COPY**

**NOTICE OF VIOLATION(S)**

This letter is to advise you of the violation(s) for which you are responsible and to seek your cooperation in resolving this matter. An investigation conducted on **April 20, 2004** at **PR # 161S30-4106-000-020** also known as **2400 Blk. Johnson Ave.** (See attached legal description), reveals that a violation(s) of State Statute(s)/Escambia County Ordinance(s) No. **Sec. 30-203(e)** exists at the described location.

Nuisance Conditions Sec. 30-203(e) The existence of overgrowth on any residentially or commercially classified lands, except on lands classified agricultural, or on undeveloped and uncleared land in its natural vegetative state, or on land in which the property owner is in the process of restoring to its natural vegetative state and for which there are no plans to build upon and upon which no building structures or signs of such structures exist above ground. Such property shall be subject to the following:

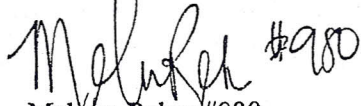
- The minimum parcel size shall be one acre or more; and
  - The parcel may not be located in a platted or unplatted residential subdivision; and
  - The property owner must execute a good faith affidavit attesting to his intent to restore the subject property to its natural vegetative state. This affidavit shall be recorded with the clerk of the circuit court and subsequent development of the parcel shall not be commenced until any overgrowth on the property has been cleared pursuant to this article
- Method of abating nuisances Sec. 30-204(d)  
Removal of all overgrowth

We request that you contact Officer Reber at 595-3523 with Environmental Code Enforcement within five (5) days after receiving this letter to arrange corrective action to be taken. Please be advised this letter is part of our investigative procedures according to State Statute(s)/Escambia County Ordinances(s). We look forward to your cooperation in completing this investigation. Failure to abate the violation(s) within ten (10) calendar days of receipt of this certified notice will result in legal action by Escambia County Environmental Code Enforcement, including but not limited to clean up of the property, demolition of deteriorated or dilapidated building(s) and the imposition of a lien for any cost incurred to the County for these actions.

Cambridge Mills Homeowners Association, Inc.  
CECE04-04-0229  
April 21, 2004  
Page 2 of 2

You should abate or contest the violation(s) in writing within ten (10) days of receipt of this notice. Mail request, "Return Receipt", to the attention of Charles E. Walker, Chief, Department of Solid Waste Management, Environmental Code Enforcement Division, 1190 W. Leonard Street, Pensacola, Florida 32501.

Sincerely,



Melissa Reber #980  
Environmental Code Enforcement Officer



Charles E. Walker, Chief  
Environmental Code Enforcement Division

Cc: RR# 7003 2260 0007 4225 0428  
Etheridge Property Management  
3298 Summit Blvd.  
Pensacola, FL 32503

PREPARED BY:  
Stephen R. Moorhead, Esquire  
McDonald, Fleming, Moorhead, Ferguson,  
Green, Smith, Blankenship & Heath, LLP  
4300 Bayou Boulevard, Suite 13  
Pensacola, FL 32503

DEED DOC STAMPS PD @ ESC CO \$ 0.70  
09/11/03 ERNIE LEE WASHA, CLERK  
By: [Signature]

**WARRANTY DEED**

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

KNOW ALL MEN BY THESE PRESENTS: THAT **DONALD S. BRANTLEY and ROBYNS. BRANTLEY, husband and wife**, hereinafter called Grantors, for and in consideration of the sum of Ten and No/100 Dollars, the receipt whereof is hereby acknowledged, do bargain, sell and convey the below described property, situate, lying and being in the County of Escambia, State of Florida, unto **CAMBRIDGE MILLS HOMEOWNERS' ASSOCIATION, INC.**, a Florida not-for-profit corporation, whose mailing address is 8401 Millstream Drive Pensacola, FL 32514 and whose federal identification number is \_\_\_\_\_, hereinafter called Grantee, its administrators, successors and assigns:

Parcel "B", Cambridge Mills, as recorded in Plat Book 15 at Page 20 and 20A of the public records of Escambia County, Florida.

(Property ID No.: 16-1S-30-4106-000-020)

And Grantors do hereby fully warrant the title to the property and will defend the same against the lawful claims of all persons whomsoever. Subject to taxes for the current year and restrictions and reservations of record which are not hereby reimposed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 3rd day of September, 2003.

Witnesses:

[Signature]  
Printed name of witness Stephen R. Moorhead

[Signature]  
DONALD S. BRANTLEY

[Signature]  
Printed name of witness REBECCA HALLETT

[Signature]  
ROBYNS. BRANTLEY

[Signature]  
Printed name of witness Stephen R. Moorhead

[Signature]  
Printed name of witness REBECCA HALLETT

**AFFIDAVIT**

RCD Dec 05, 2003 08:04 am  
Escambia County, Florida

ERNIE LEE MAGAHA  
Clerk of the Circuit Court  
INSTRUMENT 2003-179922

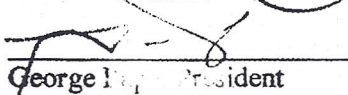
State of Florida

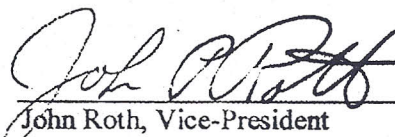
County of Escambia

Before the undersigned authority, this date personally appeared the Board members of the Cambridge Mills Homeowners Association (the HOA), President George Pape, Vice-President John Roth, and Treasurer/Secretary Michael Hamlin, who being duly sworn on oath deposes and says:

1. That the Board, at its October 29, 2003 meeting, reviewed a letter dated October 3, 2003 as authored by Mr. Donald Brantley and Mr. Stephen Moorhead.
2. That the letter accompanied a recorded quitclaim deed (Book #, Page #) that attempted to transfer property ownership of the retention pond property (parcel ID# 16-1S-30-4106-000-020) owned by Mr. Brantley to the HOA.
3. That the HOA at no time gave permission to Mr. Brantley or his agent to record such a document and that the HOA does not recognize this quitclaim deed as having any contractual or legal value whatsoever.
4. That the HOA, upon review of the recorded plat, realizes that the retention pond property is to remain private, and that this property was not to be dedicated to the HOA as per the entrance island.
5. That the HOA does not have any desire or interest or legal responsibility to provide maintenance on this private property nor does the HOA have any interest in ownership of the property.

Further affirms saith naught.

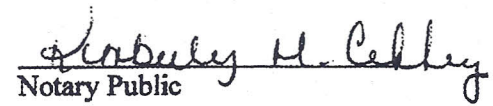
  
George Pape, President

  
John Roth, Vice-President

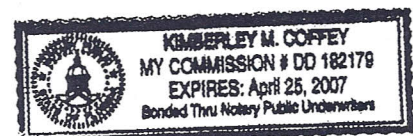
  
Michael Hamlin, Trsr./Secr.

State of Florida  
County of Escambia

Sworn to and subscribed before me this 30<sup>th</sup> day of November, 2003 by George Pape, John Roth, and Michael Hamlin, who presented driver's licenses as identification and who did take an oath.

  
Notary Public

Prepared by and return  
original documents to:  
Kim Coffey  
Ethereal Property Management  
3298 Sunset Blvd., Suite 4  
Pensacola, FL 32503



OR BK 5237 PG1254  
Escambia County, Florida  
INSTRUMENT 2003-145333

RCD Sep 11, 2003 10:37 am  
Escambia County, Florida

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 3 day of September, 2003, by Robyn S. Brantley.

  
\_\_\_\_\_  
NOTARY PUBLIC

Personally Known  
OR  
 Produced Identification  
Type of Identification Produced \_\_\_\_\_



Stephen R. Moorhead  
MY COMMISSION # DD128253 EXPIRES  
October 23, 2006  
BONDED THRU TROY FAIN INSURANCE, INC

ERNIE LEE MAGAHA  
Clerk of the Circuit Court  
INSTRUMENT 2003-145333