

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: February 20, 2008

Division: County Attorney

Bulk Item: Yes XX No

Staff Contact Person: Cynthia L. Hall

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**AGENDA ITEM WORDING:** Approval of the Settlement Agreement with Robert E. Spencer and Wanda Spencer in Code Enforcement Case CE05020330, in the amount of \$658.50.

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**ITEM BACKGROUND:**

On March 1, 2006, Robert E. and Wanda Spencer were cited for violation of Monroe County Code Section 15.5-21, all properties must be connected to the central sewer system. The case was brought before the Special Magistrate on January 25, 2007, at which time Robert E. and Wanda Spencer were still not in compliance. The Special Magistrate set compliance for February 22, 2007, after which a fine would begin to run in the amount of \$100.00 per. Robert E. and Wanda Spencer did become compliant March 15, 2007. The fines as of March 15, 2007, are \$5,418.50. The Spencers became compliant on June 7, 2007, and have agreed to the settlement agreement attached hereto.

**PREVIOUS RELEVANT BOCC ACTION:** None

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**CONTRACT/AGREEMENT CHANGES:**

N/A

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**STAFF RECOMMENDATIONS:**

Approval

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**TOTAL COST:** \_\_\_\_\_

**BUDGETED:** Yes \_\_\_ No \_\_\_

**COST TO COUNTY:** \_\_\_\_\_

**SOURCE OF FUNDS:** \_\_\_\_\_

**REVENUE PRODUCING:** Yes \_\_\_ No \_\_\_ **AMOUNT PER MONTH** \_\_\_\_\_ **Year** \_\_\_\_\_

**APPROVED BY:** County Atty   x   OMB/Purchasing \_\_\_ Risk Management \_\_\_

**DOCUMENTATION:** Included   x   Not Required \_\_\_\_\_

**DISPOSITION:** \_\_\_\_\_ **AGENDA ITEM #** \_\_\_\_\_

**BEFORE THE CODE ENFORCEMENT SPECIAL MASTER  
OF MONROE COUNTY, FLORIDA**

**MONROE COUNTY, FLORIDA**  
Petitioner,

vs.

**CASE NO.: CE05020330**

**ROBERT E. AND WANDA SPENCER,**  
Respondents.

\_\_\_\_\_ /

**SETTLEMENT AGREEMENT**

The Board of County Commissioners of Monroe County and Richard E. and Wanda Spencer (Respondents) hereby agree to settle the code enforcement lien imposed in the above-referenced case by the Special Master against property owned by the Respondents for a total of \$658.50 which amounts to 10% of the fines accrued in this case to the date of compliance, plus administrative fees and recording costs.

The property in question has a legal description of Stock Island Maloney Sub PB1-55 PT SQR 55, Monroe County, Florida (RE:00127280-000100). The lien was recorded at Book 2307, Page 480 of the Office Records of Monroe County.

The Respondents shall remit a check in the amount of \$658.50 made payable to the Board of County Commissioners. The County will hold the check uncashed until approval of the Settlement Agreement by the Board of County Commissioners at which point the County will deposit the check.

Within 30 days of clearance of the last check, the County shall provide to Respondents a release and satisfaction of said lien, which the Respondents shall record in the Official Records of Monroe County.

By entering into this agreement, any and all claims arising out of the above-captioned code enforcement case shall be satisfied and concluded.

Each party shall bear its own costs and attorney's fees other than as specified in this agreement.

(SEAL)  
Attest: DANNY L.KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By \_\_\_\_\_  
Deputy Clerk

By \_\_\_\_\_  
Mayor/Chairperson

Dated January 24<sup>th</sup>, 2008

Christian Gabrielle Henriquez  
Notary Public

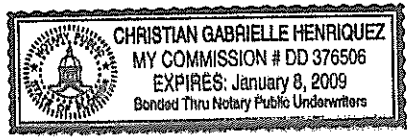
WANDA SPENCER

Wanda Spencer 1-24-08  
(date)

RICHARD E. SPENCER

CHRISTIAN Gabrielle Henriquez  
Christian Gabrielle Henriquez  
Notary Public

R. E. Spencer 1-24-08  
(date)



MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM  
Cynthia L. Hall  
CYNTHIA L. HALL  
ASSISTANT COUNTY ATTORNEY  
Date 1-31-08

