

City of DeFuniak Springs  
Post Office Box 685

35 US Hwy 90 West  
DeFuniak Springs, FL 32433  
planning@defuniaksprings.net



Phone: 850-892-8571, Ext. 116  
Fax: 850-892-8570  
TDD: 850-892-8504

DeFuniak Springs, FL 32435

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**SPECIAL MAGISTRATE  
OF  
CITY OF DEFUNIAK SPRINGS, FLORIDA  
ORDER**

CODE CASE #: 2020-0000011

City of DeFuniak Springs, Department of Code Enforcement  
PETITIONER

-vs-

Carmela Francisco Marquez  
RESPONDENT

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

THIS CASE comes for public hearing before the Special Magistrate of the City of DeFuniak Springs, Walton County, Florida on Thursday, December 17, 2020, after due notice to the Respondent, and the Special Magistrate, having heard testimony under oath, received evidence, and heard argument, hereby issues its Finding of Fact, Conclusions of Law, and Order, as follows:

**I. FINDING OF FACT:**

The Respondent, Carmela Francisco Marquez, whose mailing address is 60 18th Street South, DeFuniak Springs, FL 32435, is the owner of the real property described as: Also known as 62 Rose Circle, DeFuniak Springs, Walton County, Florida Parcel ID# 27-3N-19-19420-000-0510

The real property listed above is located and existing within the City of DeFuniak Springs, Walton County, Florida. Respondent, as owner of the real property, is responsible for maintaining the same in accordance with the Code of Ordinances of the City of DeFuniak Springs. All required notices have been made in accordance with §162.12, Florida Statutes and County Code.

Conditions presently exist on subject property in violation of City Code, Section: Chapter 14, Section 14-2 and Chapter 14, Section 14-3, such conditions constituting a nuisance and a serious threat to the public health, safety and welfare within the meaning of §162.06(4), Florida Statutes.

**II. CONCLUSIONS OF LAW:**

This is a lawfully constituted code enforcement proceeding convened pursuant to Chapter 162, Part I, Florida Statutes, and Chapter 14 City of DeFuniak Springs Land Development Code. The Special Magistrate has jurisdiction over the subject matter and the Respondent.

**III. ORDER:**

Based upon the foregoing Findings of Facts and Conclusions of Law, and pursuant to the authority granted in Chapter 162, Florida Statutes, by the Special Magistrate:

- The evidence did not support the violation cited. The case is hereby dismissed.
- Respondent is to Correct the aforesaid violation(s) on or before 30 Days or a fine of \$ 25<sup>00</sup> *per violation (3)* per day shall be imposed, and that the Respondent is further ordered to contact the City of DeFuniak Springs Code Enforcement Office to arrange for a re-inspection of the subject property to verify compliance with this Order.
- Respondent(s) shall be responsible for costs incurred by the City in prosecuting this case totaling \$ \_\_\_\_\_. The costs shall be paid in full within \_\_\_\_\_ days of this order. If unpaid the costs shall be assessed against the subject property as a lien, and this Order, or subsequent Order Imposing Fine, may be recorded in the Public Records of Walton County as evidence thereof.
- Violation(s) did exist at the subject property but have been remedied. No fine in this matter shall be imposed, however future offenses of the same nature as cited in this case will be considered repeat offenses and subject to fines as such.
- Respondent has been found in violation as a repeat offender. A fine of \$ \_\_\_\_\_ shall be imposed and a \$ \_\_\_\_\_ per day fine shall continue until property is brought into compliance.
- Violation(s) as identified herein is/are irreparable or irreversible in nature. A one-time fine of \$ \_\_\_\_\_ is imposed against the respondent(s) in addition to any fine or costs imposed herein, if any such fine amount or cost amount imposed.

Violation of a Stop Work Order has occurred on the subject property. A one-time fine of \$\_\_\_\_\_ is imposed against the respondent(s) in addition to any fine or costs imposed herein, if any such fine amount or cost amount imposed.

OTHER

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A true and correct copy of these Findings of Fact, Conclusions of Law, and Order shall be delivered to the Respondent(s) by certified mail with return receipt requested, or by hand delivery.

DONE AND ORDERED on this 17 day of Dec, 2020.

  
\_\_\_\_\_  
Reea Rene Youell, Special Magistrate  
City of DeFuniak Springs Special Magistrate

I HEREBY CERTIFY that this document is a true and correct original of this ORDER as it was approved and entered by the City of DeFuniak Springs Special Magistrate on the date provided above.

Certified by: Maryanne Schneider  
City of DeFuniak Springs, City Clerk

Date: 12-17-2020

Provided by Certified Mail or Hand-Delivery to Respondent:

Carmela Francisco Marquez  
60 South 18th Street  
DeFuniak Springs, FL 32435

Clay B. Adkinson  
Attorney for City of DeFuniak Springs  
P.O. Box 1207  
DeFuniak Springs, FL 32433



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**SPECIAL MAGISTRATE  
OF  
CITY OF DEFUNIAK SPRINGS, FLORIDA  
ORDER**

CODE CASE #: 2020-00000002

City of DeFuniak Springs, Department of Code Enforcement  
PETITIONER

-vs-

Samuel M. Simmons III  
RESPONDENT

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

THIS CASE comes for public hearing before the Special Magistrate of the City of DeFuniak Springs, Walton County, Florida on Thursday, December 17, 2020, after due notice to the Respondent, and the Special Magistrate, having heard testimony under oath, received evidence, and heard argument, hereby issues its Finding of Fact, Conclusions of Law, and Order, as follows:

**I. FINDING OF FACT:**

The Respondent, Samuel M. Simmons III, whose mailing address is 83 Bourbon Street, Freeport, FL 32439, is the owner of the real property described as: Also known as 118 East Toledo Avenue, DeFuniak Springs, Walton County, Florida Parcel ID# 25-3N-19-19070-001-7390

The real property listed above is located and existing within the City of DeFuniak Springs, Walton County, Florida. Respondent, as owner of the real property, is responsible for maintaining the same in accordance with the Code of Ordinances of the City of DeFuniak Springs. All required notices have been made in accordance with §162.12, Florida Statutes and County Code.

Conditions presently exist on subject property in violation of City Code, Section: Chapter 14, Section 14-2 and Chapter 14, Section 14-3, such conditions constituting a nuisance and a serious threat to the public health, safety and welfare within the meaning of §162.06(4), Florida Statutes.

**II. CONCLUSIONS OF LAW:**

This is a lawfully constituted code enforcement proceeding convened pursuant to Chapter 162, Part I, Florida Statutes, and Chapter 14 City of DeFuniak Springs Land Development Code. The Special Magistrate has jurisdiction over the subject matter and the Respondent.

**III. ORDER:**

Based upon the foregoing Findings of Facts and Conclusions of Law, and pursuant to the authority granted in Chapter 162, Florida Statutes, by the Special Magistrate:

- The evidence did not support the violation cited. The case is hereby dismissed.
- Respondent is to Correct the aforesaid violation(s) on or before 30 Days or a fine of \$ 25<sup>00</sup> per day shall be imposed, and that the Respondent is further ordered to contact the City of DeFuniak Springs Code Enforcement Office to arrange for a re-inspection of the subject property to verify compliance with this Order. 25<sup>00</sup> for each violation
- Respondent(s) shall be responsible for costs incurred by the City in prosecuting this case totaling \$\_\_\_\_\_. The costs shall be paid in full within \_\_\_\_\_ days of this order. If unpaid the costs shall be assessed against the subject property as a lien, and this Order, or subsequent Order Imposing Fine, may be recorded in the Public Records of Walton County as evidence thereof.
- Violation(s) did exist at the subject property but have been remedied. No fine in this matter shall be imposed, however future offenses of the same nature as cited in this case will be considered repeat offenses and subject to fines as such.
- Respondent has been found in violation as a repeat offender. A fine of \$\_\_\_\_\_ shall be imposed and a \$\_\_\_\_\_ per day fine shall continue until property is brought into compliance.
- Violation(s) as identified herein is/are irreparable or irreversible in nature. A one-time fine of \$\_\_\_\_\_ is imposed against the respondent(s) in addition to any fine or costs imposed herein, if any such fine amount or cost amount imposed.

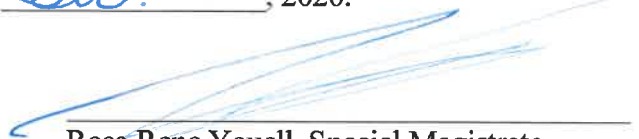
Violation of a Stop Work Order has occurred on the subject property. A one-time fine of \$ \_\_\_\_\_ is imposed against the respondent(s) in addition to any fine or costs imposed herein, if any such fine amount or cost amount imposed.

OTHER

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\_\_\_\_\_  
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A true and correct copy of these Findings of Fact, Conclusions of Law, and Order shall be delivered to the Respondent(s) by certified mail with return receipt requested, or by hand delivery.

DONE AND ORDERED on this 17 day of Dec., 2020.



Recca Rene Youell, Special Magistrate  
City of DeFuniak Springs Special Magistrate

I HEREBY CERTIFY that this document is a true and correct original of this ORDER as it was approved and entered by the City of DeFuniak Springs Special Magistrate on the date provided above.

Certified by: Maryanne Schroder  
City of DeFuniak Springs, City Clerk

Date: 12-17-2020

Provided by Certified Mail or Hand-Delivery to Respondent:

Samuel M. Simmons III  
83 Bourbon Street  
Freeport, FL 32439

Clay B. Adkinson  
Attorney for City of DeFuniak Springs  
P.O. Box 1207  
DeFuniak Springs, FL 32433

