

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF LAKE CITY, FLORIDA

CASE NO: 2025-00000089

CITY OF LAKE CITY, FLORIDA,

PETITIONER,

vs.

JAMES H. JOHNSTON, III,

RESPONDENT.

NOTICE OF HEARING

PLEASE TAKE NOTICE that on Thursday, the 13th day of August, 2026, at 5:30 pm or as soon thereafter as counsel may be heard, the undersigned will bring on to be heard before the Honorable Magistrate Stephanie Marchman, at Lake City City Hall, 205 North Marion Avenue, Lake City, Florida, Second Floor, City Council Chambers, the Petition for Authorization to Foreclose Municipal Lien. Fifteen (15) minutes have been set aside for this hearing.

DUKES LEGAL, P.A.

/s/ M. Aaron Dukes
M. AARON DUKES
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Attorney for Petitioner

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF LAKE CITY, FLORIDA

CASE NO: 2025-00000089

CITY OF LAKE CITY, FLORIDA,

PETITIONER,

vs.

JAMES H. JOHNSTON, III,

RESPONDENT.

PETITION FOR AUTHORIZATION TO FORECLOSE MUNICIPAL LIEN

COMES NOW, PETITIONER, CITY OF LAKE CITY, FLORIDA (hereinafter referred to as "PETITIONER"), by and through the undersigned counsel and seeks authorization pursuant to Section 162.09(3), Florida Statutes, to file municipal lien foreclosure against real property in Columbia County, Florida, owned by JAMES H. JOHNSTON, III (hereinafter referred to as "RESPONDENT"), and alleges:

1. The property sought to be foreclosed on has the following physical address: 372 NW GWEN LAKE AVE in Lake City, Florida ("Property").
2. RESPONDENT, JAMES H. JOHNSTON, III, is the owner of record of the real property more particularly described as set forth on **Exhibit "A"** attached hereto and incorporated herein.
3. City of Lake City Code Inspector, Donnell White, initially inspected the Respondents residential property on April 4, 2025, and observed a vacant structure with significant fire damage and broken windows.
4. On April 7, 2025, PETITIONER sent a Notice of Violation via USPS certified mail addressed to Respondent describing the alleged violations.

5. On July 3, 2025, PETITIONER sent a second Notice of Violation and a Notice of Hearing via USPS certified mail addressed to Respondent describing the alleged violations. City of Lake City Code Inspector Donnell White also posted a copy of the Notice of Violation and a copy of the Notice of Hearing at the Property and at City Hall.

6. On October 2, 2025, an Order was entered by the Special Magistrate of the City of Lake City, Florida. Said Order is set forth on **Exhibit "B"** attached hereto and incorporated herein.

7. The Order required Respondents to take all actions necessary to correct violations found on the Subject Property within 180 days following the date of entry of said Order.

8. The Order further stated that in the event that the subject property was not brought into compliance with Petitioner's Code of Ordinances on or before the 180th day from said Order, a daily fine of fifty dollars (\$50.00) will begin to accrue on the 181st day, in accordance with Section 162.09, Florida Statutes.

9. The 181st day following the date of entry of said order was Wednesday, April 1, 2026.

10. To date, RESPONDENT remains in default of the payment obligations by failing to make payment of the daily fine accrued and has failed to remedy the violations and bring the Property in compliance with Petitioner's Code of Ordinances on or before the 181st day from the date of said Order.

11. The subject property is not the constitutional homestead of the RESPONDENTS.

WHEREFORE, PETITIONER respectfully demands that the Special Magistrate enter an order authorizing PETITIONER to commence municipal lien foreclosure in the Third Judicial Circuit Court in and for Columbia County, Florida pursuant to Chapter 162, Florida Statutes.

DATED this _____ day of _____, 2026.

DUKES LEGAL, P.A.

/s/ M. Aaron Dukes
M. AARON DUKES
Florida Bar No. 124349
Post Office Box 328
Lake Butler, Florida 32054
(352) 225-1654 (Telephone)
aaron@dukeslegal.com
dukeslegal@outlook.com
Attorney for PETITIONER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via
U.S. mail this _____ day of _____, 2026, to the following:

JAMES H. JOHNSTON, III
419 SW LAKEVIEW AVE
LAKE CITY, FL 32025

/s/ M. Aaron Dukes
M. AARON DUKES

EXHIBIT A

Commence at the Point of Intersection of the South line of Duval Street extended, and the centerline of Gwen Lake Boulevard, according to the Plat of IDLEAWILE REPLAT, a subdivision in Columbia County, Florida, according to the plat on file in the office of the Clerk of Circuit Court in and for said Columbia County, in Plat Book 2 page 117-A, and run thence Westerly along a perpendicular from the centerline of said Gwen Lake Boulevard, 50.00 feet to the West line of said Boulevard, thence Southerly along a curve deflecting to the left from a tangent bearing South $1^{\circ} 43'$ West, said curve having a radius of 176.20 feet, a distance of 44.10 feet for a Point of Beginning, and run thence Southerly along the above described curve 95.38 feet to point of tangent on the West line of said Gwen Lake Boulevard, thence South $43^{\circ} 32'$ West, along the West line of said Boulevard, 120.00 feet, thence South $88^{\circ} 56'$ West 220.00 feet, thence North $37^{\circ} 5'$ West 213.00 feet, thence North $88^{\circ} 56'$ East 220.00 feet to Point of Beginning, Being located in the NW 1/4 of Section 31, Township 3 South, Range 17 East.

Columbia County Parcel Identification Number: 31-3S-17-06058-000

EXHIBIT B

**CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF LAKE CITY, FLORIDA**

CITY OF LAKE CITY, FLORIDA

PETITIONER,

CASE NO. 2025-00000089

v.

JAMES H. JOHNSTON III,

RESPONDENT.

ORDER

THIS CAUSE came before the Special Magistrate on October, 2 2025, at the request of Petitioner, and the Special Magistrate having heard and received testimony and evidence from Petitioner, makes the following findings of fact and conclusions of law and thereupon orders, as follows:

FINDINGS OF FACT

1. Respondent James H. Johnston III ("Respondent") is the owner of property located in Lake City, Florida, Parcel #: 31-3S-17-06058-000 ("Property"). Lake City Code Enforcement Inspector Donnell White appeared and testified at the hearing on behalf of Petitioner. No appearance was made on behalf of Respondent.
2. On April 4, 2025, Inspector White inspected the Property and observed a vacant structure with significant fire damage and broken windows. On April 7, 2025, Inspector White issued a Notice of Violation to Respondent via certified mail.
3. On July 3, 2025, Inspector White issued to Respondent a second Notice of Violation and a Notice of Hearing via certified mail. Inspector White also posted copies of the Notice of Hearing on the Property and at City Hall.

4. At the October 2, 2025 hearing, Inspector White testified that the dwelling on the Property had caught fire on two occasions and presented photographs from the day of the hearing demonstrating that the dwelling has not been repaired or demolished. Inspector White further testified that he spoke with Respondent on October 1, 2025, who advised that he seeks to repair or remodel the dwelling on the Property.
5. Inspector White requested that Respondent be given thirty (30) days to obtain a permit to rebuild the dwelling, or a permit to demolish the dwelling, and, upon receiving the applicable permit, that Respondent be given one-hundred and eighty (180) days to repair the dwelling or ninety (90) days to demolish the dwelling, as applicable. Should Respondent fail to repair or demolish the dwelling within the applicable time frame, Inspector White requested a fine of fifty dollars (\$50.00) per day be imposed on the Property. Inspector White also requested that Respondent be ordered to reimburse Petitioner in an amount of \$20.88, representing administrative costs incurred by Petitioner in issuing notices to Respondent.

CONCLUSIONS OF LAW

6. The authority of the undersigned Special Magistrate to hear and determine the violations alleged by Petitioner comes from Chapter 162, Florida Statutes; Chapter 2, Article X, Section 2-414 of Lake City, Florida Code of Ordinances; and Lake City Council Resolution Nos. 2020-022 and 2025-050.
7. The proceedings in this matter are governed by Chapter 162, Florida Statutes and Chapter 2, Article X of the Lake City, Florida Code of Ordinances.
8. Respondent was properly notified of the alleged violations and provided with a reasonable period of time within which to correct the violations.

9. Respondent failed to timely correct all of the alleged violations on the Property.
10. Petitioner requested a hearing and provided proper notice to Respondent of its date, time, and location.
11. Pursuant to Chapter 2, Article X, Section 2-418, the undersigned Special Magistrate is authorized to order the relief granted herein.
12. The evidence presented at the October 2, 2025 hearing demonstrated that the Property is in violation of Chapter 22, Article VII, Division 2, Section 22-175 of Lake City, Florida Code of Ordinances, adopting and incorporating the International Property Maintenance Code 2018 Edition ("IPMC"), and Subsections 301.3 and 304.1.1 of the IPMC.

ORDER

13. Within thirty (30) days of the date of this Order, Respondent shall obtain the necessary permit to either repair or demolish the vacant dwelling on the Property in accordance with Subsections 301.3 and 304.1.1 of the IPMC. Should Respondent obtain a permit to repair the dwelling, Respondent shall complete such repairs within one-hundred and eighty (180) days from the date such permit is obtained. Should Respondent obtain a permit to demolish the dwelling, Respondent shall complete such demolition within ninety (90) days from the date such permit is obtained.
14. In the event Respondent fails to comply with Paragraph 13 above, a daily fine of fifty dollars (\$50.00) per day will be imposed and begin to accrue one-hundred and eighty-one (181) days from the date Respondent obtains a permit to repair the dwelling, or ninety-one (91) days from the date Respondent obtains a permit to demolish the dwelling, as applicable, which may become a lien on the Property, and the lien may be used to foreclose on the Property.

15. Within fifteen (15) days of the date of this Order, Respondent shall pay Petitioner's administrative costs incurred in this case in the amount of \$20.88.

DONE AND ORDERED on this 7th day of October, 2025.


STEPHANIE MARCHMAN
SPECIAL MAGISTRATE

Copies furnished to:
James H. Johnston III
Donnell White