

Wall, Treeva

From: Koontz, Lori
Sent: Friday, January 27, 2017 10:52 AM
To: Dean, Randy; Lee, Steve; Wall, Treeva; Wilkins, Temia; Press, Brenda
Cc: Johnson, Jeff; Scott, Jimmy
Subject: FW: Kurt Street Affidavit
Attachments: Affidavit of Transfer_Phase I Kurt St_recorded.pdf

Attachment and email as an fyi and to be added to cartegraph for future reference.

Brenda is providing the construction documents to the City Clerk today.

Thank you,
Lori

From: Marsh, Melanie
Sent: Friday, January 27, 2017 9:20 AM
To: Koontz, Lori <LKoontz@lakecountyfl.gov>
Subject: FW: Kurt Street Affidavit

FYI – please get a copy of the phase 1 docs to the City Clerk as soon as possible.

Melanie

From: Melanie Marsh <MMarsh@lakecountyfl.gov>
Date: Friday, January 27, 2017 at 9:19 AM
To: Derek Schroth <dschroth@brslegal.com>, Mary Montez <MontezM@ci.eustis.fl.us>, "NeibertR@ci.us" <NeibertR@ci.eustis.fl.us>
Cc: David Heath <dheath@lakecountyfl.gov>
Subject: FW: Kurt Street Affidavit

Good Morning:

In August 2015, the County and the City executed an agreement regarding Kurt Street. The agreement contemplated that improvements would be made to the road, and that at the completion of each phase the City would assume ownership and maintenance of that particular Phase. Please see Paragraph 5 of the Agreement. Pursuant to Section 335.0415, Florida Statutes, local governments can transfer jurisdiction of roadway via agreement to other local governments. The statute does not require the recording of a deed. The County sent the City a letter in August 2016 memorializing the transfer of Phase 1 that was effective June 2016.

Notwithstanding the above, after reading through several email chains between Mr. Wheeler and Ms. Montez, I became aware that the City had not acknowledged the transfer of ownership and maintenance of Phase 1 of the Kurt Street project. After contacting Derek Schroth, it was decided that the County would have an Affidavit recorded in the public records to further memorialize the transfer of jurisdiction. Attached is a copy of the recorded document, which includes confirmation that the effective date of the transfer was June 2016. The Affidavit also incorporates a copy of the fully executed agreement so that notice is provided to the public as of the effective date and of the agreement between the parties.

I trust that this will resolve any further discrepancies over the jurisdiction of Phase 1 of Kurt Street. Phase 2 will be wrapped up shortly by the County and we will memorialize the transfer in the same form. I will also have the County's Public Works staff provide a full copy of the construction documents to the City Clerk for Phase 1, and Phase 2 when it is transferred.

Please notify me as soon as possible if there is anything further the City needs to carry out the terms of the agreement.

Sincerely,
Melanie Marsh
County Attorney

From: Michelle Wilkinson <MWilkinson@lakecountyfl.gov>

Date: Friday, January 27, 2017 at 8:20 AM

To: Melanie Marsh <MMarsh@lakecountyfl.gov>

Subject: Kurt Street Affidavit

Melanie,

Here is the recorded affidavit.

Thanks,
Michelle