RECEIVED IN PALATKA

DEC 28 2009

REGULATORY HANDYRMANDIN MGT. ROBERT L. TAYLOR\* PATRICK C. HOWELL ELIZABETH A. LANHAM-PATRIE ROBYN SEVERS BRAUN

GENE S. BOGER RICHARD M. COLN JENNIFER M. SINCLAIR PAUL T. HINCKLEY SARA K. WILSON ALLISON C. MCDONALD CHRISTOPHER P. ERI

\*Board Certified Real Estate Attorney

## TAYLOR & CARLS, P.A.

ATTORNEYS AND COUNSELORS AT LAW

150 N. WESTMONTE DRIVE ALTAMONTE SPRINGS, FLORIDA 32714 PALM COAST, FLORIDA TELEPHONE: (386) 446-5970 FAX: (386) 446-5938

CLEARWATER, FLORIDA TELEPHONE: (727) 530-5200

FAX: (727) 538-2100

TELEPHONE: (407) 660-1040 FAX: (407) 660-9422

December 23, 2009

\* Reply to Altamonte Springs

DEC 28 2009

CENTRAL RECEIVING

Celebration Golf Management 701 Golf Park Drive Celebration, FL 34747

## RE: Immediate Need for Repair of Storm Water Drain on Golf Course

Dear Sirs:

By way of introduction, Taylor & Carls, P.A., has the pleasure of representing Stratford at Kings Ridge Community Association, one of the sub-associations within Kings Ridge. It has come to our attention that you have recently purchased the Golf Course property located within the Kings Ridge community. Accordingly, we have been asked by our client to inform you of an unresolved and increasingly dangerous erosion condition in the area surrounding a storm drain on the Golf Course and particularly located on course hole #10, behind the lot and home at 1960 Farmington Court within West Stratford at Kings Ridge.

Based upon our analysis of the governing documents for the master association, Kings Ridge Community Association (which we also represent), the supervision, control, and maintenance of the Golf Course rests squarely upon the Golf Course Owner, which it is our understanding is now Celebration Golf Management. Additionally, pursuant to the governing documents, the Golf Course Owner may delegate the duty to maintain to another entity. If you have so delegated this duty to maintain to another entity, please advise us of such. Regardless of whether you or another party will be performing the actual maintenance for the Golf Course, however, the erosion at issue is clearly not the responsibility of any Association - master or sub - within the Kings Ridge Community.

You should be aware that the City of Clermont Code Enforcement has investigated the situation, and that on or about July 14, 2009, sent an e-mail to Anthony DeSimone, at Lennar, indicating that the erosion situation was "fairly substantial" and needed to be addressed as soon as possible. It is our understanding, however, that no action was taken by Lennar other than to place a temporary barrier around the eroding area. Celebration Golf Management December 23, 2009 Page 2

If the current situation is allowed to worsen, it is possible that the structural integrity of the homes adjacent to the storm drain will be compromised. Also, incidents of storm water overflow in the nearby area indicate the potential of a blocked or damaged storm water drain pipe likely related to the erosion of the storm drain. Should any incident or damage to persons or property within the Kings Ridge Community occur as a result of this erosion, please understand that as the new Golf Course Owner, you will be held responsible for any and all such damage.

In writing this letter, it is our intent to alert you to an increasingly dangerous situation which, as the new Golf Course Owner, is your responsibility to address. You should additionally be aware that if repairs are not completed in an expedient manner, the possible resulting damage to nearby homes and further damage to the drainage system could be substantial. Accordingly, please contact our office at your earliest convenience to discuss an anticipated timetable for repairing the erosion surrounding the storm drain on the Golf Course.

I look forward to your reply.

Sincerely, Jara K. Wils

Sara K. Wilson

SKW/HWC/ks

cc. Kings Ridge Community Association, Inc. SJRWMD City of Clermont Code Enforcement City of Clermont Manager

Sakr01 ltr2