

## Ladonna Johnson

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**From:** Lindsey Porter  
**Sent:** Friday, May 13, 2016 9:20 AM  
**To:** Regulatory Permitting Application Submittal  
**Subject:** Hancock Square (67971-3)  
**Attachments:** 7-11 Clermont Lot Kankoo OR 2611 445 v11-27-15.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Ladonna

Please add this document as PAC for 67971-3.

Thank you,

Lindsey Porter  
Engineer II  
(407) 215-1453  
lporter@sjrwmd.com

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**From:** bkracht@krachtlawfirm.com [mailto:bkracht@krachtlawfirm.com]  
**Sent:** Thursday, May 12, 2016 3:06 PM  
**To:** Lindsey Porter <lporter@sjrwmd.com>  
**Subject:** [FWD: Fw: Aphawa Self-Storage Expansion (94530-3) and Hancock Square (67971-3)]

Lindsey,

Good afternoon, I have the pleasure of representing Lost Lake Medical Building, LLC. I was forwarded your correspondence below requesting a reciprocal easement agreement or similar documentation concerning the maintenance and operation obligations of the storm water facilities for Hancock Square (67971-3).

Attached for your review please find the recorded Declaration of Covenants, Conditions, and Restrictions affecting the Hancock Square property. The Declaration addresses the maintenance and operation responsibilities of the parcel owners for the storm water system and provides each with the right to maintain the system in the event the responsible party fails to do so. Is the Declaration sufficient or is an additional easement agreement still required before a permit can be issue allowing Lost Lake to start construction.

Please let me know how best to proceed thanks.

Sincerely,

Brian M. Kracht, Esq.  
Kracht Law Firm, P.A.  
230 S. New York Avenue, Suite 101  
Winter Park, Florida 32789  
Phone: 407.966.4554 | Fax: 407.966.4550  
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----- Original Message -----

Subject: Fwd: Fw: Apshawa Self-Storage Expansion (94530-3) and Hancock Square (67971-3)  
From: Bao Huynh <[bhuynhmd@gmail.com](mailto:bhuynhmd@gmail.com)>  
Date: Tue, May 10, 2016 6:50 am  
To: Brian Kracht <[bkracht@krachtlawfirm.com](mailto:bkracht@krachtlawfirm.com)>

Hi Brian,

I'm developing that 7-11 Lot in Clermont. St Johns River Water Management wants a reciprocal easement agreement in place with the 7-11 Lot owner (Carter-Hancock Road Land Trust) before they will issue permit. Apparently this is normal in case the 7-11 Lot went out of business and I would be given rights to maintain the north half of the shared retention pond (because there is no owner's association to take care of it).

Is this something you can take care of ASAP or should I approach an attorney specializing in developments?

We can discuss this morning if you have time. I'm free until 1:00 today.

Bao Huynh

----- Forwarded message -----

From: **Rick McCoy** <[rmccoype@att.net](mailto:rmccoype@att.net)>  
Date: Fri, May 6, 2016 at 8:25 PM  
Subject: Fw: Apshawa Self-Storage Expansion (94530-3) and Hancock Square (67971-3)  
To: Bao Huynh <[bhuynhmd@gmail.com](mailto:bhuynhmd@gmail.com)>  
Cc: Teresa Studdard <[teresa.mca@att.net](mailto:teresa.mca@att.net)>

Dr. Bao,

We received the request below from St. Johns today. I agree with Lindsey that a reciprocal easement agreement would be the simplest way to provide the assurances the District needs to issue the permit. It actually protects your drainage rights because the overflow for the common retention pond is on the northern half. If the 7-Eleven went defunct, you would want the right to maintain the storage volume area and the overflow discharge drainage system. You should run it by your attorney.

Please contact me with any questions.

Thanks,  
Rick

**McCoy & Associates**  
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Clermont, Florida 34711

[\(352\) 394-5756](tel:3523945756) Office

[\(352\) 360-8753](tel:3523608753) Cell

*"The budget should be balanced, the Treasury should be refilled, Public Debt should be reduced, the arrogance of officialdom should be tempered and controlled, and the assistance to foreign lands should be curtailed lest Rome become bankrupt. People must again learn to work, instead of living on public assistance." - Cicero, 55 BC*

On Friday, May 6, 2016 11:33 AM, Lindsey Porter <[lporter@sjrwmd.com](mailto:lporter@sjrwmd.com)> wrote:

Hello Rick,

In follow up to our conversation yesterday, the information that Cecilia requested for the transfer will also cover the administrative issues for the Apshawa Self-Storage Expansion letter modification 94530-3. Other than that, there are no additional outstanding issues for the letter mod.

I finished reviewing Hancock Square (67971-3), and we will process it as a letter mod. My main question is regarding the operation and maintenance of the system. Since the 7-11 is owned by a different entity than the property proposed for development, we will need to see documentation of a reciprocal easement agreement or similar document. I am assuming that there is no property owners association since there are only two owners, so I think the reciprocal easement would be most appropriate. We can discuss this in more detail over the phone if you'd like. Also, I would like to see the vertical datum specified on the plans since the pond will be regraded. Let me know if it is shown on the plans and if I missed it somewhere.

Thanks, and I hope you have a great weekend.

Lindsey Porter

Engineer II

Division of Regulatory Services

St. Johns River Water Management District

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<http://www.sjrwm.com/lobbyist/>

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