

Ref. Meeting w/
Commissioner
Ken Cornell

MEMORANDUM

Date: Dec 11, 2019

Received: Commission Office

P.O. Box 401, Alachua

Copies to: BOCC, County Manager

County Attorney, James Harriott

Gina Peebles, Tommy

Grosby

To: Mr. Ken Cornell, Alachua County Commissioner

Date: December 11, 2019

From: Mr. John W. and Mrs. Saint Elmo Cherry-Clark

John W. Cherry-Clark

Subject: Streets and Lots Vacation of the North 1/3 of High Springs Manor Parcel (#02922-000-000)

This memo provides a summary of issues of concern about two items. These items were conveyed to you by John and Saint Elmo Cherry-Clark on December 5, 2019 in your office. The first item is about the *status of our application* for streets and lots to be vacated in the North 1/3 of parcel #02922-000-000 located in the platted subdivision known as High Springs Manor.

Our application was submitted on *November 1, 2017* to the Alachua County Public Works Department. Because Mr. Bracken's office has not forwarded the Clark's application to next office/level in a timely manner, we have paid \$150.00 three times for a new Title Search on our property for the same application. The reason given was that as a matter of policy a Title Search is required every thirty (30) days, before the application is thoroughly reviewed another fee must be submitted to our attorney for another Title Search.

The second issue of concerned is a known trespasser across Clark's private property situated in High Springs Manor. Please find a brief sequence of critical moments of encounters with the Alachua County Public works area and the trespasser whose name is Jim Pruitt, a local realtor.

The trespasser as referenced: The first day I met Mr. Pruitt, he was trespassing on our property. He was clipping tree limbs and moving them from our property. He never approached us about the use of the Lane to access the property behind us. When he did speak to me about our property, he *arrived at my front door with an old map of High Springs Manor*. He said that he could cross our property at any point he wanted, and the County was behind him. I took such statement to mean the County was on his side and not ours as private property owners.

This is how our (the Clarks') interaction and communication began with Jim Pruitt. He was informed that he was on private property then, but this didn't seem to move him at all. I sensed he had no respect for us. From that point on, he continued to trespass from October 1, 2017 to November 28, 2019.

September 7, 2017: The letter referenced "the north 25 ft. un-named platted street as shown in the plat of High Springs Manor". It referenced that the "Alachua staff was notified that you

(the Clarks) recently installed two posts and a gate across the platted right of way". This letter demanded that we remove the gate immediately for Jim Pruitt's access. We did not remove our gate and posts, as the County Public Works demanded. County staff came out to our home. They took our gate protecting our property down. Furthermore, the letter was in error identifying the wrong parcel number.

What Mr. Ramon D. Gavarrete, County Engineer did not tell us was this: His staff was to measure 25 ft. as referenced in the plat of High Springs manor. An assessment was to be made about the path through which to layout the lane. His staff made their evaluation and determined that to follow his directives that there will be some problems. Cutting down the 200-300 year-old trees and removing the gophers out the pathway would be the problem.

November 1, 2017: Application to vacate lots and streets was submitted to Alachua County Public Works Department.

September 8, 2018: A confrontation was triggered between Jim Pruitt and Mrs. Clark. This confrontation was initiated by Jim Pruitt. My husband discovered him in my face down the Lane on our private property attempting to intimidate me. This man invaded my personal space; and, he is yelling and calling my name, repeatedly.

John yelled at him saying, "I will kill you, *if* you touch her!" He told him twice. This ***is a direct threat*** to Pruitt from John W. Clark, my husband. Pruitt was not moved by that threat. I, St. Elmo Cherry-Clark, pointing to the ground where Pruitt stood; I got his attention by stating: "You know you are standing on private property!" Again, Pruitt emphasized that the County will do what he wants. This event was described to my attorney. My attorney said *as I had described the situation to him*, it was a verbal assault and verbal harassment.

October 1, 2018: Mr. Bracken and surveyors came to our home to survey the Lane on our property.

Sheriff Dean was called by us to report Jim Pruitt's trespassing on our property.

The Sheriff instructed Jim Pruitt to use Mrs. Matthew's easement not our Lane.

Jim Pruitt was asked to leave our property. Sheriff Dean was the only County Sheriff to ask Pruitt to leave our property.

Bracken, the surveyor said the Lane would stay as it is a *10 ft. wide easement*.

November 23, 2019 Jim Pruitt was discovered scraping the lane and removing dead limbs and debris from our property, again. The County Sheriffs were called by Jim Pruitt and me. They arrived. They listened to both of us, separately. Because Pruitt showed them the September 7, 2017 letter, the same letter with the wrong parcel number and they would not ask him to leave.

November 28, 2019 between 6:00 and 7:30 p.m. Jim Pruitt took our gate down. We were having Thanksgiving dinner with our neighbors.

After this, John replace the gate and closed the entry to the property and closed it at the far end of the Lane near I-75. John called the County Sheriff. When the Sheriff arrived, Jim Pruitt who was gone. However, the Sheriff (Deputy Adkins #1440) the report #112819-0465.

This information was made for future reference.

Jim Pruitt was never threatened by John W. Clark, specifically, about his knowingly trespassing across our property. He *was never threatened about that*.

After this incident, *again*, Mister Pruitt *was still never threatened about trespassing*. Yet, he continued to trespass keeping our property clean. But, on November 28, 2019, because he took our gate down, my husband, John Clark, felt impelled and compelled to erect a gate and a fence to protect property.

As private property owners, my husband and I are responsible for securing our property lines.

Cc: Marihelen Wheeler, Commissioner