DATE: *22 August 2018* ***(REVISED)***

TO: *Lee Pinkoson, Chairman*
Alachua County Commission

cc: Cathy Ernst, CPM
Alachua County Right-of-Way Specialist

FROM: *Sandee Pruitt, Santa Fe Int'l Realty, Inc.*

SUBJECT: ***PARCEL #02930-000-000 - CELINDA DIBERNARDO TRUSTEE***

25 FT. WIDE UNNAMED PLATTED STREET OF HIGH SPRINGS MANOR
(Extension of NW 218 Avenue, High Springs)

Attached is a summarized chronology of events substantiating the continuing illegal and intentional obstruction of an Alachua County public right-of-way by Mr. John Clark thereby violating and impeding the specific right of adjacent property owner, Celinda DiBernardo, to sell her property (#02930-000-000) without unjust and hazardous interference AND the general right of any individual to the safe and legal use of this street.

1926 High Springs Manor plat dedicated the streets **"to the public forever"**
Plat Book B, page 71, Public Records Alachua County, FL

10/23/07 BCC vacates a portion of the plat of High Springs Manor EXCEPTING Santa Fe Street (R/W a.k.a. 188TH ST**),** Bay Street (40-foot R/W) and the un-named 15-foot wide street, running in an east west direction located at the south end of said High Springs Manor plat. (RESOLUTION 07-97)

08/09/16 BCC Accepts the dedication of rights-of-way…; provides for repeal of previous resolutions in conflict; provides effective date immediately upon adoption (RESOLUTION 16-71)

06/12/17 Real Estate Broker Sandra R. Pruitt (BK #255043), Santa Fe Int'l Realty, Inc., enters into Exclusive Right of Sale Listing Agreement with **Celinda DiBernardo** for 62.4 acres **Parcel #02930-000-000.**

Access to the DiBernardo property is the 25 ft. wide unnamed platted street which is an extension of 218th Ave, High Springs, and hereafter referred to as "UNNAMED STREET."

06/20/17 On or about 6/20/17, Sandee Pruitt, receives phone call from husband and Vice President of Santa Fe Int'l Realty, Inc., Jim Pruitt, stating that upon attempting to exit the DiBernardo property via "UNNAMED STREET" after inspecting For Sale signage placed on said property, he discovered his exit blocked by a truck/vehicle belonging to John Clark parked in a hostile manner

(side-ways) across "UNNAMED STREET" which runs alongside the front of Mr. and Mrs. Clark's home.

Concerned about approaching Mr. Clark's home, Jim called Broker, Sandee Pruitt, and requested she immediately proceed to the corner of NW188th St and NW 218th Ave in clear view of Mr. Clark's home but within safe distance in order that Mr. Clark would be aware of the presence of a witness so that he (Jim) could introduce himself and make Mr. Clark aware of Mrs. DiBernardo's intentions to sell her property.

Upon Sandee Pruitt's arrival, and from an observable distance, Jim Pruitt was engaged in conversation with Mr. and Mrs. Clark in the middle of "UNNAMED STREET." The conversation appeared non-confrontational although a truck continued to be parked side-ways across "UNNAMED STREET." Upon conclusion of the conversation, Sandee Pruitt was subsequently advised by Jim Pruitt that Mr. and Mrs. Clark jointly insisted the street to be private. Sandee Pruitt has a recorded video of this event.

July 2017 — At some point during this time it is discovered upon an attempted inspection of the DiBernardo property that Mr. Clark has installed a gate blocking all entry to said "UNNAMED STREET."

8/22/17 — Celinda DiBernardo letter to Stephen Lachnight, Code Enforcement, requesting Alachua County intervention regarding legal access to her property. (attached)

9/7/17 — Ramon Gavarette, County Engineer, informs Mr. Clark, in writing, that the un-named platted street in question was a public platted right-of-way specifically identifying the chain of legal authority establishing it as such and providing a fifteen day time frame for the gate to be removed by Mr. Clark. (attached)

9/20/17 — On or about this date, Sandee Pruitt made arrangements with an adjoining property owner, Sharon Mathews, to access the DiBernardo property for the purposes of showing it to an interested party since Mr. Clark had ignored the County's request to remove the gate.

It was additionally discovered on that showing of the property that Mr. Clark had further installed a second gate at the end of "UNNAMED STREET" at the immediate entrance to the DiBernardo property. The interested party, consisting of husband and wife accompanied with their banker, advised at the conclusion of the showing they would not want to pursue further interest in the property due to the hostility evidenced by Mr. Clark.

9/22/17 — Alachua County removed the gate initially installed by Mr. Clark.

9/24/17 — Sandee Pruitt, accompanied by husband, Jim Pruitt, drove out to inspect the accessibility to the DiBernardo property. Upon approaching the property in two vehicles: Jim Pruitt in a truck and Sandee Pruitt in a sedan; Jim immediately proceeded to the property while Sandee remained at the intersection of NW 188

St and NW 218th Ave. When Sandee observed Mr. Clark come out of his home and approach his truck with immediacy and concerned for her husband's safety she contacted 911 and very shortly an Alachua County Deputy Sheriff arrived. She explained the situation. The deputy sheriff spoke directly to Sandee and then separately to Mr. Clark.

11/17 During this time or thereabouts and following Hurricane Irma, Mrs. DiBernardo paid to have a bobcat machine smooth out and improve the overall condition of "UNNAMED STREET" running 1200 feet (mol) at her expense in order to enhance access to her property and it's marketability.

8/5/18 When Sandee Pruitt (accompanied by her husband, Jim Pruitt) turned onto "UNNAMED STREET" around 11:30 am for the purposes of meeting and showing the DiBernardo property to an interested party, Mr. Clark and another male gentleman were standing outside the Clark residence. The second party immediately accessed his truck and pursued the Pruitt's in their truck. The Pruitt's had only advanced a few feet before discovering that numerous deep trenches had been dug on "UNNAMED STREET" making it unsafe and largely impassable. Upon stopping and exiting the truck, the unknown male immediately approached Jim Pruitt stating the property was private. Jim informed this individual the street was public and indicated Mr. Clark had been informed of such in writing by Alachua County.

Observing a small tree fallen across the road, Jim retrieved a chain saw from the truck in order to clear the road. In the midst of doing so, Mr. Clark, who had followed quickly behind the second party in his own truck approached Jim, who was in the process of cutting up the tree, yelling about the trespassing and once again threatening to sue.

At that point, Sandee Pruitt contacted 911 and Deputy Sheriff, Tom Thueson, arrived at which time the Pruitt's described the present and past events and the continuing threatening hostility of Mr. Clark. Deputy Thueson was provided with a copy of the letter addressed to Mr. Clark by the County Engineer, Ramon Gavarette, which clearly indicated the access street to be public.

Deputy Thueson clearly observed the trenching to the road which was visibly initiated from Mr. Clark's property. Deputy Theuson specifically stated the only reason he would attempt to traverse the road beyond the trenched areas was if the Pruitt's et al were in any imminent danger. Otherwise, the condition of the road presented substantial threat to his vehicle.

Sandee Pruitt's client, a doctor with the Gainesville VA hospital for twenty years and preparing to retire and, having communicated a sound interest in the DiBernardo property, observed this interaction while waiting inside the Pruitt vehicle.

Shortly thereafter, Mrs. DiBernardo was contacted and made aware of this chain of events. Her plea for intervention is addressed in her letter to Commissioner Pinkoson dated August 7, 2018, and attached hereto.

8/6/18 Appointment made with Commissioner Pinkoson to further discuss how the BCC may assist in providing resolution to this predicament.