



**Mark F. (Thor) Hearne, II**

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**VIA EMAIL: *BKayan@scgov.net***

Bora Kayan  
Sarasota County Clerk  
1660 Ringling Boulevard, 2<sup>nd</sup> Floor  
Sarasota, Florida. 34236

**RE: *Grames v. Sarasota County***

Dear Bora:

A number of the owners I represent have sent me letters and a form agreement that Sarasota County is sending. Sarasota County is soliciting these owners to send a “check-the-box” form granting Sarasota County unlimited access to their private property. The answer for every owner I represent is “**no.**”

This includes every owner on the northern extension of the Legacy Trail and includes every owner who is a named plaintiff in those cases pending in the United States Court of Federal Claims *Cheshire Hunt, et al. v. United States*, No. 18-111, and *4023 Sawyer Loop Road I, LLC, et al. v. United States*, No. 19-757, every named landowner in *Grames, et al. v. Sarasota County, et al.*, No. 20-739, pending in the United States District Court for the Middle District of Florida, and every putative class member in the *Grames* class action. In other words, every landowner who owns property north of Culverhouse Park.

The fact that Sarasota County has elected to directly contact landowners who are represented by legal counsel and solicit them to sign a legal document Sarasota County prepared without presenting this to the owners’ counsel is very troubling and raises serious ethical concerns. A number of these landowners are older and have been confused by the form Sarasota County is sending and soliciting these owners to sign. Even more outrageous is the fact that Sarasota County officials or agents of Sarasota County are threatening owners with fines or penalties if the owner does not sign Sarasota County’s form. For some owners Sarasota County’s demolishing of existing structures and cutting of trees located on these owners’ private property subject to the

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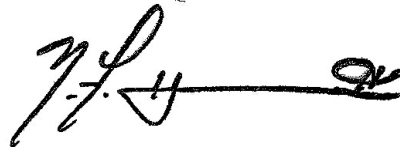
112 S. Hanley Road, Suite 200, St. Louis, MO 63105

rail-trail corridor easement has caused damage to the owner's land that is not subject to the rail-trail corridor easement. For example, for one owner Sarasota County (or its contractor) cut down a tree that fell across the owner's land and damaged the owner's property. For other owners Sarasota County is demolishing existing fences and other existing structures and depositing the debris on the owner's land that is not subject to the federal rail-trail right-of-way easement. And, Sarasota County has entered several owners' private property with the Sheriff and threatened to charge the owner with a felony if the owner does not agree to allow Sarasota County to tear down the owner's existing improvements. Sarasota County has also posted signs on owners' private property threatening a felony conviction if the owner enters the owner's property.

Sarasota County must *immediately* stop sending these unconditional right of entry forms to owners of property taken for the northern extension of the Legacy Trail. Any form that any owner has returned is a nullity and Sarasota County must disregard any form that owner has returned.

I will bring this matter to the Court's attention as well.

All the Best,

A handwritten signature in black ink, appearing to read 'M. F. Hearne, II', with a stylized flourish at the end.

Mark F. (Thor) Hearne, II

TH/dsl

cc: Andrew Bringham  
Zachary West  
John Tustin