
From: Usher L. Brown <lbrown@orlandolaw.net>
Sent: Friday, July 12, 2013 12:45 PM
To: Rannells, Marvin
Cc: Marks, Howard; Morton, Debra M.; tcheek@whww.com; Bill Reischmann
Subject: RE: Capen House [Burr-1815854]

Good afternoon Mr. Rannells, Ms. Morton, and Howard (forgive the familiarity, but we go back).

You are correct that the Code has no procedure for removing the designation, which is precisely the reason why the Commission could rescind the prior Resolution by Resolution. This authority is inherent in the definition of a "resolution" under law, and the statutory and constitutional Home Rule authority of this Chartered municipal commission.

My partner, Bill Reischmann has worked more closely with staff on this issue, and will prepare a more detailed response to your letter.

Perhaps a better approach is for your group to work with the new owners, who I understand are represented by Tripp Cheek. Rather than spend money going in this direction, I respectfully suggest a more efficacious route would be to explore with the owners moving the building and preserving it, as was done with Casa Feliz. There may be other accommodations achievable in negotiation with the owners, but I think that is an issue for your clients to resolve with Mr. Cheek's clients. The last time I heard Mr. Cheek speak on this topic there was a willingness to discuss reasonable proposals for moving the structure.

At this time, the home is owned by folks who purchased from the bank, and I don't see what more the City could do without creating significant risk of liability for damages.

Larry B.

From: Rannells, Marvin [<mailto:mrannells@burr.com>]
Sent: Friday, July 12, 2013 12:08 PM
To: Usher L. Brown
Cc: Marks, Howard; Morton, Debra M.
Subject: Capen House [Burr-1815854]

Dear Mr. Brown:

Attached is correspondence from Mr. Marks regarding the Capen House. Please contact us if you have difficulty opening the attachment.

Thank you

Marvin Rannells

Paralegal for Howard S. Marks