

**From:** [Celeste, Merry E](#)  
**To:** [Kurth, Rene](#); [Insurance Documents](#)  
**Cc:** [Meador, Robert C](#); [Kimm, Bunita L](#); [Pemberton, Christy D](#)  
**Subject:** RE: S Belcher Rd ATMS - CSX Agreement  
**Date:** Friday, October 16, 2015 12:42:27 PM

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Thanks so much Rene for the response.

Merry Celeste  
Pinellas County ETS  
(727) 464-3185

[mceleste@pinellascounty.org](mailto:mceleste@pinellascounty.org)

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**From:** Kurth, Rene [[mailto:Rene\\_Kurth@csx.com](mailto:Rene_Kurth@csx.com)]  
**Sent:** Friday, October 16, 2015 12:24 PM  
**To:** Celeste, Merry E; [Insurance Documents](#)  
**Cc:** [Meador, Robert C](#); [Kimm, Bunita L](#); [Pemberton, Christy D](#)  
**Subject:** RE: S Belcher Rd ATMS - CSX Agreement

Good afternoon Mary:

Our attorney has not changed her position on the request.

Rene Kurth | CSX Real Property, Inc.

Contract Specialist | Bldg. 1 J180 | 6737 Southpoint Drive South | Jacksonville, Florida 32216

Office 904-279-3817

Email [rene\\_kurth@csx.com](mailto:rene_kurth@csx.com)

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**From:** Celeste, Merry E [<mailto:mceleste@co.pinellas.fl.us>]  
**Sent:** Thursday, October 15, 2015 3:48 PM  
**To:** Celeste, Merry E; Kurth, Rene; [Insurance Documents](#)  
**Cc:** [Meador, Robert C](#); [Kimm, Bunita L](#); [Pemberton, Christy D](#)  
**Subject:** RE: S Belcher Rd ATMS - CSX Agreement

Good Afternoon Rene: Would you please provide a response to question directly below.

Thanks,

Merry Celeste  
Pinellas County ETS  
(727) 464-3185

[mceleste@pinellascounty.org](mailto:mceleste@pinellascounty.org)

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**From:** Celeste, Merry E  
**Sent:** Wednesday, October 07, 2015 11:56 AM  
**To:** 'Kurth, Rene'; [Insurance Documents](#)  
**Cc:** [Meador, Robert C](#); [Kimm, Bunita L](#); [Pemberton, Christy D](#)

**Subject:** RE: S Belcher Rd ATMS - CSX Agreement

Hi Rene: I should probably restate the request below to ask if CSXT's position has changed regarding the request to remove the requirement that the County indemnify CSXT, which is in conflict with County Resolution No. 06-70. Your previous responses regarding same for this type agreement were that you were not able to modify. Please advise.

Thank you,

Merry Celeste  
Pinellas County ETS  
(727) 464-3185  
[mceleste@pinellascounty.org](mailto:mceleste@pinellascounty.org)

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**From:** Celeste, Merry E  
**Sent:** Tuesday, October 06, 2015 2:46 PM  
**To:** 'Kurth, Rene'  
**Cc:** Meador, Robert C; Kimm, Bunita L; Pemberton, Christy D  
**Subject:** FW: S Belcher Rd ATMS - CSX Agreement  
**Importance:** High

Hi Rene: As we've requested in the past, I need to again request on this agreement that the indemnification language in Section 9.1 of the attached agreement be revised to remove the requirement that the County indemnify CSXT, which is in conflict with County Resolution No. 06-70. We respectfully request that CSXT revise Section 9.1 by either removing the requirement that the County indemnify CSXT, or modify Section 9.1 to reflect that each party be responsible for its own acts of negligence. The contractor that we hire to perform the work is required to indemnify both the County and CSXT. Please advise at your earliest convenience.

Thank you,

Merry Celeste  
Pinellas County ETS  
(727) 464-3185  
[mceleste@pinellascounty.org](mailto:mceleste@pinellascounty.org)

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**From:** Meador, Robert C  
**Sent:** Tuesday, September 22, 2015 5:26 PM  
**To:** Kimm, Bunita L  
**Cc:** Celeste, Merry E; Jacobs, Kenneth A; Washburn, Thomas E  
**Subject:** S Belcher Rd ATMS - CSX Agreement

Bunny,

The CSX agreement you have for execution is for aerial crossing of fiber optic cable. The cable will be inside conduit which will be attached to the underside of the bridge over the RR and Cross

Bayou. All applicable information is attached.

Thanks,  
Rob

Robert C. Meador, P.E.  
Senior Engineer  
Pinellas County Transportation Management  
22211 U.S. 19 N. /Bldg 1  
Clearwater, FL 33765  
Phone: (727) 464-8851  
Fax: (727) 464-8908  
[rmeador@pinellascountv.org](mailto:rmeador@pinellascountv.org)

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