

August 31, 2004

North Marks Road Land Development
C/o David Brown
109 West Liberty Street
Medina, Ohio 44256

Re: Status and Summary of Outstanding Completion Items, Additional Concerns
Liberty Woods Subdivision
Medina, Ohio

Dear Sirs:

Earlier this year I prepared a summary of outstanding issues at the Liberty Woods Subdivision. I have updated that summary (see attached); I am very pleased to note that most of the items on that list have been addressed. Thank you for your cooperation.

Two of the items, specifically Item #3 (Erosion along the stream bank within the stream running from Patriot's Way to N. Commerce Drive) and Item #5 (Drainage in the ear yard of 695 Cornwallis Court) have not been completed. After reviewing the situation, we have decided that Item #3 should be the responsibility of the City. The erosion that has been noted is naturally occurring and is more of a maintenance issue than a design issue. As such, this item is no longer considered as delinquent item for you.

We have met with representatives of the Liberty Woods Homeowner's Association about these and other matters. One of their concerns was the condition of the landscaping (lawn) at some of the common areas (i.e., the areas within Phases 4 and 5 that are (or will be) owned by the Homeowner's Association. They feel strongly that the finished 'lawn' areas at these locations are unacceptable. These areas did not receive any topsoil (or at least very little), there are ruts within the finished area, and the vegetation is heavily weeded with very little grass. They would like these areas to be re-graded and re-seeded before they accept responsibility for them.

It is my interpretation that each of us (the Homeowners Association, the City and you as the Developer) has some responsibility for one or more of these open items. As such, below I have listed these items according to the responsible party:

LIBERTY WOODS HOMEOWNER'S ASSOCIATION RESPONSIBILITIES

1. Determine location, scope and extent of common areas to be re-graded and re-seeded
2. Obtain estimate(s) from qualified landscaper(s) for the re-grading and re-seeding work

DEVELOPER RESPONSIBILITIES

1. Re-grading and re-seeding of common areas
2. Installation of rear yard drainage basin at 695 Cornwallis Court
3. Install trees within the open area on both sides of Commerce Drive (per Memorandum of Understanding)

CITY RESPONSIBILITIES

1. Addressing stream bank erosion issues for the stream running from Patriot's Way to N. Commerce Drive (ppn 029-19A-07-049)
2. Clean out and general maintenance of detention basin behind 819 & 825 Savannah Trail (Phase 3)

Please contact me after you have had a chance to review the attached. I can be reached at 330.722.9034.

Again, thank you for your continued cooperation.

Sincerely,

Patrick J. Patton, P.E.
City Engineer

C: Mayor Leaver, Greg Huber / City of Medina
Vince Syrone / Liberty Woods Homeowner's Association

Resolution / Status of Issues at Liberty Woods Subdivision

Item #	Location	Issue	Resolution	Comment/ Status
1a.	Retention Basin between Braddock's Landing and Cornwallis Court	Standing water along stream channel	Developer to re-grade and re-landscape stream channel by May, 2004	COMPLETED
1b.	Retention Basin between Braddock's Landing and Cornwallis Court	Erosion	Developer to submit plans to enclose a portion of the stream. P. Patton to meet with Army Corps in January to determine allowable scope; developer will install by May, 2004 <i>(note: Developer submitted enclosure plan 01/09/04)</i>	COMPLETED
1c.	Retention Basin between Braddock's Landing and Cornwallis Court	Ice buildup at outlet (near Patriot's Way)	Developer to re-grade and re-landscape stream channel by May, 2004	COMPLETED
1d.	Retention Basin between Braddock's Landing and Cornwallis Court	Excessive water back-up during rain	P. Patton and developer's engineer to determine if a mid-stage outlet is an appropriate solution; if it is, developer will install by May, 2004 (PLEASE NOTE, THIS IS A RETENTION POND AREA, IT IS DESIGNED TO HOLD STORMWATER AFTER A RAIN) <i>(note: The City has elected not to install a mid-stage outlet at this time)</i>	COMPLETED
2a.	Parcel #029-19A-11-178	Excessive building material debris (concrete, stone, etc.)	P. Patton and Mayor to meet with builder (Sweetbriar) to discuss. If builder does not agree to clean up the lot, City will require developer to complete the clean up.	COMPLETED
2b.	Parcel #029-19A-07-049	Drainage issues, misc. debris, landscaping not completed, access to retention basin, etc.	P. Patton and Mayor to meet with builder (Sweetbriar) to discuss. If builder does not agree to clean up the lot, City will require developer to complete the clean up. P. Patton will contact developer about establishing an acceptable path to allow equipment (tractor, mower) access to detention basin.	COMPLETED
2c.	Parcel #029-19A-11-167	Same issues as those listed in Item #'s 1a through 1d, above	See above, Item #'s 1a through 1d	COMPLETED
3.	Stream running from Patriot's Way to N. Commerce Drive (along rear property lines of homes on the west side of Savannah Trail)	Stream bank erosion	P. Patton to meet with Army Corps in January to determine allowable scope of stream bank stabilization; developer will install by May, 2004	See note (1)
4.	Phase 4 & 5	Street Lights	City has approached Ohio Edison to ask that they honor their previous cost estimate. If they do, lights can be installed immediately. If not, City will attempt to install lights with a private contractor. If this is not feasible, City will approach developer to pay additional costs. In either case, lights should be installed within 90 days.	COMPLETED
5.	Rear yard of 695 Cornwallis Court	Drainage	Developer to install additional rear yard drainage basin by May, 2004	See note (2)

Notes:

- (1) THE CITY HAS DETERMINED THAT THIS ITEM IS THE CITY'S RESPONSIBILITY, NOT THE DEVELOPER'S. (Original concerns expressed by Richard Bottarro/849 Savannah Trail)
- (2) THIS ITEM IS THE DEVELOPER'S RESPONSIBILITY. (Original concerns expressed by Karen Frimel/695 Cornwallis Court)