

May 15, 2005

Colony Board Meeting (Residents, Inc.)

The meeting was held at Fred Fiscus' home. The following board members were present: Lowell Bush, Fred Fiscus, Jerry Nicholson, Randy Daniel and Carin Lovell. Meeting called to order at 6:15pm.

1. Annual Meeting scheduled for May 26th at 7pm. Carin will check with church for scheduling. A notice will be circulated along with light bills, and Jerry Nicholson will circulate. Carin to put a sign at entrance notifying of meeting.
2. Slate of officers for coming year discussed. Fred Fiscus will agree to Treasurer, Jerry Nicholson will agree to VP, Randy Daniel and Lowell Bush agreed to stay on as member-at-large, Martha Taylor and Carin Lovell's status is undecided.
3. Treasurer Fred O'Bryan was absent. Carin Lovell reported the balance of account as of April 29, 2004 at \$4,017 per O'Bryan.
4. Martha Taylor has agreed to host the Annual Picnic again this year. Carin will check with her on scheduling.
5. Fred Fiscus indicated that our board insurance carrier wanted proof that we are not responsible for the ponds in the New Colony, otherwise our rate would increase. Fred is going to supply them with a copy of deed restrictions and agreement where applicable to the ponds.
6. We discussed status of work on the agreement amendments.
 - * Lowell and landscaper cannot find final workups of landscaping which they agreed upon last year. Lowell will check with landscaper and come up with a solution.
 - * Carin will contact Chuck Saylor and ask the city to mark the streets for humps.
 - * Fred will contact Bruce Simpson when he returns from vacation to write a letter to the developer about the sidewalks and completion of items.
 - * There was no references to repairing or repaving streets in the agreement. This is to be deleted from our list.
 - * Added to the list is to replace fencing along the back of Tom Smith's home, and to move the two light poles at entrance to the back.
7. Traffic problems at New Circle and Versailles Road was discussed. Jerry Nicholson will contact Versailles Rd. Coalition.

The meeting adjourned at 7:30pm.

May 26, 2005 ANNUAL MEETING

Cain

Call to order

Previous Minutes Read

Treasurer's Report

encourage payment to Maintenance Fund
(don't call light fund anymore)

Directory

Picnic - August 6th - 4-7pm

Common Areas maintenance

(plantings, mulch, weeding, water)

Election of 2005-2006 Officers

Developer progress

water drainage issues

speed humps

landscaping & removal of asphalt

walkways/easement to lake

retention pond

fencing at Tom Smiths/Versailles Rd.

moving lights to back

amendment to agreement

Other business - *Church announcement*

Adjourn

Resident's Inc.
2005-2006
SLATE OF OFFICERS

Please circle your choice for each office.
Circle three choices for Member at Large.

President: Bill Taylor

Write In: _____

Vice President: Jerry Nicholson

Write In: _____

Treasurer: Fred Fiscus

Write In: _____

Secretary: Carin Lovell

Write In: _____

Member at Large: Martha Taylor,
Randy Daniels, Rae House

Write In: _____

THE COLONY NEIGHBORHOOD ASSOCIATION

(aka Residents Inc.)

ANNUAL MEETING MINUTES

Thursday, May 26, 2005

The annual meeting was held at St. Raphael's Episcopal Church on Thursday, May 26, 2005. There were apx. 20 neighborhood members present (see sign-in list). President Fred Fiscus called the meeting to order at 7:05 p.m.

Minutes: Secretary Carin Lovell read the minutes from the 2004 Annual Meeting. Junior Odom motioned to accept the minutes, Fred Fiscus seconded.

Recognition of new neighbors: Candy Richardson and Michael Harrison were recognized and welcomed to the neighborhood.

Treasurer's Report: Treasurer Fred O'Bryan was absent to present the report. A report was later attached to these minutes. The board presented the need to change the old term "light fund" to "maintenance fund" since it more accurately describes it's function. It was noted that only 65% of residents contributed to the maintenance fund last year. Participation was encouraged since we have more expenses due to upkeep of our entrance and islands than in the past.

New Business:

Board Insurance: Junior Odom questioned the scope of coverage of the proposed board insurance. Fred Fiscus will verify that it is \$1 million per person on the board, and would cost apx. \$700 per year. Max Crocker motioned to approve the expenditure, and Martha Taylor seconded. Motion passed.

Trash Collection: At the previous year's annual meeting, a resident questioned whether we should look at going with the city for trash collection vs. a private vendor. It was pointed out that there was an error in the math, and that it was best to stay with the private vendor.

Entrance Maintenance: Carin Lovell made a motion to have the entrance and islands maintained by a private contractor to weed, mulch, prune and rake as needed. Bill Taylor seconded. Motion passed.

Annual Picnic: The Annual picnic will be August 6th from 4-7 pm at Bill & Martha Taylor's home.

Developer Progress:

Water Drainage: progress is being made on the water drainage issue between the Lovell and Richardson property. A drainage pipe was attached to the lake overflow pipe at the corner of Colonial and Standish, and silt was being cleaned from the lake pipe. This should be completed by next week.

Speed Humps: Speed Humps were recently installed, and Fred Fiscus will call the city to fix the one on John Alden that is not to spec.

Landscaping: The landscaping at the island at Mayflower and Standish should be done as soon as the subcontractor removes the asphalt next week.

Lake Easement: The easement between the Becknell's and Hamiltons will be flagged next week. Martha Taylor's research showed that the ADA act does not specify that private single- family areas have to comply with ADA restrictions. Fred Fiscus and Jerry Nicholson talked with Mrs. Becknell who was opposed to the walkway installation. The developer asked for a letter saying they won't be liable if they put the walkways in, and indicate that they would not be ADA accessible. They said they would put in 4 ft. wide concrete.

Retention Pond: The aerator needs to be hooked up next week.

Fencing: Mr. Smith's fence that was damaged when the large pond was installed needs to be repaired or replaced.

Lighting: We discussed moving the two old lampposts at the entrance to the back of the Colony. The two guests who reside in the new part of the Colony in the culdesac indicated they did not want lighting in the culdesac. It was suggested to check with Mike Clark to see if he was opposed to installing one at the entrance of the walkway.

Parking: Several residents were concerned about the cars parked just inside the entrance in the road at the Wheeler's residence. President Fred Fiscus would talk to them about this regarding safety for everyone.

Signage: A request was made by the Websters to ask those selling their homes to remove the signs in a timely manner.

Burglaries: There have been several incidents of lawn mowers stolen. Residents are asked to be alert, and lock up their valuables.

Annual Elections: Fred opened the floor for discussion and recommendations for nominations. The following slate was put forth for the Board members for the term of one year:

- Bill Taylor for President
- Jerry Nicholson for Vice President
- Fred Fiscus for Treasurer
- Carin Lovell for Secretary
- Martha Taylor for Member-at-large
- Randy Daniel for Member-at-large
- Rae House for Member-at-large

Laura Kessler made a motion to accept the slate as it, Dave Kessler seconded. No oppositions from the floor. Motion approved.

The meeting was adjourned at 9:10 p.m.

These minutes respectfully submitted by Carin Lovell, Secretary.

Resident's Inc.
The Colony Neighborhood Association

Financial Report

Assets

\$ 2,979.68	Bank Balance as of May 18, 2005
145.79	KU Credit on Entrance Lights
72.21	KU Credit on 7 pole lights on streets
<u>\$ 3,197.68</u>	Total

Expenses - May 20, 2004 to May 18, 2005

\$ 1,636.25	Lawyer Fees
800.00	KU payments (Monthly Average \$48.50)
638.00	Board Insurance Policy
200.18	Transformer Replaced
125.50	Supplies
69.00	P.O. Box Fee
4.00	State Filing Fee
<u>\$ 3,472.93</u>	Total

Total Deposits \$ 1,100.⁰⁰ (#25 X 44 Residents - 71%)
(Light + Maintenance Fund)

Fred M O'Bryan
Treasurer
May 18, 2005

Residents Inc:

6/4/05

ATTN: The Board

We have an excellent neighbor that we feel is being alienated by this old colony Association. The issue is the concrete walkway that is proposed through their property, to the northeast corner of the lake. Dr. Becknell told us that neither ~~he~~ or his wife Gerrie were apprised of this proposal and further had they been they would not have purchased the lot. Additionally they have been told by members of the Association that they will be liable for any injuries or accidents that may occur in or around the walkway area. This has been terribly upsetting to them and understandably so.

We feel that this issue should be further negotiated by The Board and The Becknells and Hamiltons to hopefully arrive at a mutual agreement on how to proceed instead of pushing over

- forward with a plan that was probably ill-advised from its inception. Life is too short and friendships too valuable to be destroyed through a pissing contest in order to prove a point.

I feel confident that the Beckwells and Hamiltons would be willing to set down with the old colony Board to develop a better plan that is acceptable to all parties and hopefully avert a situation of misunderstanding and hard feelings between the old and new colony residents that could last for years.

Paul and Jeanne Hahn

Residents, Inc.
Neighborhood Association of the Colony
PO Box 8677
Lexington, KY 40533

June 6, 2005

To: J. Williams Inc., Developer of Colony Unit 4, or Mr. Allen Wahls, Developer's Contractor.

Subject: ADA Compliance Issue with respect to Common Areas (Walkways) in Colony Unit 4.

The United States Department of Justice provides Information and Technical Assistance on the Americans with Disabilities Act (ADA) through their ADA Information Line. This service permits businesses, State and local governments, or the general public to call and ask questions about general or specific ADA requirements including questions about the ADA Standards for Accessible Design. The technical assistance services provide the most up-to-date information about the ADA and how to comply with its requirements

I have spoken with the Technical Assistance Information Line regarding the walkways to be installed in the Colony Unit 4 sub-division and have been informed that there is no provision in the Americans with Disabilities Act that requires a developer of a private, single-family residential development to provide wheelchair accessible walkways. Thus, according to the Technical Assistance Information person I spoke with, the walkway easements to the pond in the Colony Unit 4 sub-division can be of any material and of any dimensions as these are issues not addressed nor regulated by the ADA.

If J. Williams, the developer, or its sub-contractors have ADA Citations or Rulings to the contrary, please provide same to the Board of Residents, Inc. Otherwise, our best information is that your recent concerns are unfounded.

Sincerely,

Martha S. Taylor
Residents, Inc.
Board of Directors
Member at Large

Robert

Robert Zacherl
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www.impressed.de

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Residents, Inc.
Neighborhood Association of the Colony
PO Box 8677
Lexington, KY 40533

June 1, 2005

To: Residents, Inc. Board of Directors
From: Bill Taylor
Subject: Meeting on Sunday, June 5, 2005 at 4:00PM
Location: Taylor house at 1236 Standish Way

Please find enclosed Reference Package of Material for our meeting discussions, including:

1. A first draft of a Letter Agreement modifying the July 1997 Contract between Residents and J. Williams with color annotations and copy of an earlier letter to McAlpin on changes.
2. A copy of that July 1997 Contract with color annotations referenced in 1.
3. Selected pages from the "New Colony" CC&Rs with specific notations.
4. A copy of Residents' By-laws.

Estimated time of meeting – *between one and one and one-half hours.*

Agenda

- Discussion of Status with J. Williams to include:
 - Review of the Remaining J. Williams Work Items Passed by the BOD in 2004
 - Review of the July 1997 Agreement
 - Review of Residents rights to use Common Areas in New Colony – CC&Rs
 - Review of Draft Letter, Revisions incl. legal review questions.
- Discussion of updating of Residents' By-laws – Discussion draft to be presented
- 2005 Picnic (scheduled for 6 August) – Rain date alternative
- Revisit suggestion for a quarterly news letter for the Colony
- Other Business

Enclosed – **Reference Package of Material** – This Material is for the members of the Board only, *please keep it in confidence.*

Notice of Board of Directors Meeting

June 5, 2005

Colony Board Meeting (Residents, Inc.)

The meeting was held at Bill & Martha Taylor's home. The following board members were present: Bill Taylor, Martha Taylor, Jerry Nicholson and Carin Lovell. Meeting called to order at 4:15pm.

Bill opened the meeting, and dicussed progress by the developer.

The developer has been working on the water drainage problem by the Lovells/Richardson properties. He has removed the asphalt sections at Standish and Mayflower. He has finalized the landscaping plans for the islands, and should have them installed within the month.

Extensive discussion about the walkway ensued, and Martha Taylor read a letter from Robert and Joann Hahn (attached) with concerns about installing the walkway at the Becknell's propery in the new section. Jerry Nicholson will provide the Becknells with copies of their CCNRs and our agreement. He will try to arrange a meeting with the Becknells once they have read the contracts.

Martha Taylor has done research into ADA requirements for the walkways and has determined that ADA requirements do not apply to us. See attached letter to developer.

We decided that our agreement does not allow for dual memberships in our association and the new association that is forming. The neighbors in the cul-de-sac can be social members, and can make a donation to our association, but will not have voting rights. Fred Fiscus will send a letter to these residents and return Michael Harrison's check.

The picnic will be on August 6th, 4-7pm at the Taylor's with rain date the next day.

Carin will look to see if we have Articles of Incorporation anywhere in the records.

Fred Fiscus had given Bill a copy of the board insurance - which is effective 4-13-05 for one year. Policy is in secretary's files.

The meeting adjourned at 7:30pm.

July 8, 2005

Colony Board Meeting (Residents, Inc.)

The meeting was held at Bill & Martha Taylor's home. The following board members were present: Bill Taylor, Martha Taylor, Carin Lovell and Rae House. Meeting called to order at 4:30pm.

Carin read the minutes from the June 6th board meeting, amendment was made to include information about the board insurance.

First order of business was progress by the developer on the "punch list."

Landscaping: The developer has had a landscaper install plantings in the islands, except for the large one at Mayflower and Standish which still has asphalt piled up inside. The plantings are very nicely done. Lowell and Carin have arranged to have adjacent neighbors water for a couple of weeks to get the plants established during this draught.

Speed Humps: Bill Taylor is going to check on the measurements of the hump on Colonial. Carin has contacted Chuck Saylor to see if the city can make adjustments to the rutting problem adjacent to the speed humps. It was stated that the humps need to be painted with the striping. We are waiting for response by Saylor.

Walkways/Easements: We all agree the rights of way and access to the "common areas" of New Colony rest primarily in hands of New Colony Home Owners. We, as secondary beneficiaries with no direct role in management or financial issues, can only investigate what is actually on the "Approved Plans" at the City for the New Colony, and "jaw bone" the New Colony folks to engage with the Developer to "do what was promised and shown on the plans approved for the Development and promised in the CC&Rs that run with each New Colony Residence.

Retention Pond: Since Jerry Nicholson has followed this issue, we would like to ask him to contact KU and the developer to see why the aerator cannot be connected and operational, so that we can put this issue to bed.

Roads: It is the city responsibility to repair roads.

Fencing Paint: We are dropping this issue. The homeowner on Versailles Road is going to install a brick wall anyway.

Water Drainage: The developer is currently working on removing sediment from the pipe, and once that is done, material will be removed, and landscaping restored.

Fencing: The developer needs to clean out debris in the back of Tom Smith's property, and install a new painted fence.

Lighting: Developer will be asked to move the two light posts from the entrance. One to go in the cul-de-sac at the back of the Colony, and the other to go in the island at Mayflower and Standish.

Carin will contact Allen Wahls to arrange a meeting for the weekend of July 15th.

Other business:

We need a financial report from Fred Fiscus. This can be emailed to the board members. We also would like a spreadsheet showing who has paid the fees this year, and who has not. A reminder notice should go out to those who have not contributed. Letters to cul-de-sac residents should go out outlining social membership status and requirements.

Rae will research signage for the entrance, and email board members results and costs, then we will vote on accepting one of the options. We need the financial report before voting.

Landscaping maintenance quote was obtained by Carin. It will cost \$100 per month for maintenance of the islands and entrance this year from September to November. Hector and Chuey will weed, prune, rake leaves, and install weed n feed on the grass (material extra). We will need to address this again in the spring. Martha Taylor made a motion to accept this cost, and Bill Taylor seconded.

Picnic reminders should go out via email by July 23rd about the picnic on August 6th (rain date the next day). A directory update can also go via email.

The meeting adjourned at 6:00pm.

October 2, 2005

Colony Board Meeting (Residents, Inc.)

The meeting was held at Bill & Martha Taylor's home. The following board members were present: Bill Taylor, Martha Taylor, Carin Lovell and Jerry Nicholson. Meeting called to order at 3:20pm.

1 Bae House

Carin read the minutes from the July 8th board meeting and were approved.

First order of business was discussing the lawsuit which we have against the developer. Bill called Simpson to dismiss the lawsuit once the 60 day stay was up - however the court made a clerical error and reinstated the lawsuit. The developer has retained a new attorney and he informed the developers of the reinstatement.

We then went over the complaint point by point to discuss what has been done, what has been modified, and what we will accept without compliance.

1. Mosquito Pond: we will rely on health department pressure and the new colony neighborhood assn. to address that problem.
2. Roadways: Done. City responsible for maintaining roads.
3. Speed Humps: We modified original plan with approval from the city to install 3 humps. Done.
4. Islands: Landscaping is complete
5. Roundabout: We modified to take out Mayflower sections through the middle.
6. Lake: We will rely on new association to manage any problems that arise.
7. Walking Path: We agreed to again let the new association take this up with developer if desired.
8. Fencing: We waive second coat of paint.
9. Fencing at Mr. Smiths: We will require to have the developer fix Mr. Smith's fence that was damaged in construction replaced or give the association monies to do so.
10. All other responsibilities of the contract shall be upheld. These issues just address complaint. President Bill Taylor will work with attorney Simpson to draft a settlement agreement.

New Business:

Developers who are interested in purchasing the Fox property on Versailles Road contacted president Bill Taylor about the possibility of developing a residential townhouse community. The board feels that there should be a special meeting called on Oct. 13, 2005 to present the facts to residents. The developer also will present their plan. A notice will go out via email to advise of the meeting.

The meeting adjourned at 5:00pm.

- remainder of roundabout signage
- look @ blueprint - where fence goes

July 8, 2005

Colony Board Meeting (Residents, Inc.)

The meeting was held at Bill & Martha Taylor's home. The following board members were present: Bill Taylor, Martha Taylor, Carin Lovell and Rae House. Meeting called to order at 4:30pm.

Carin read the minutes from the June 6th board meeting, amendment was made to include information about the board insurance.

First order of business was progress by the developer on the "punch list."

Landscaping: The developer has had a landscaper install plantings in the islands, except for the large one at Mayflower and Standish which still has asphalt piled up inside. The plantings are very nicely done. Lowell and Carin have arranged to have adjacent neighbors water for a couple of weeks to get the plants established during this draught.

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Retention Pond: Since Jerry Nicholson has followed this issue, we would like to ask him to contact KU and the developer to see why the aerator cannot be connected and operational, so that we can put this issue to bed.

Roads: It is the city responsibility to repair roads.

Fencing Paint: We are dropping this issue. The homeowner on Versailles Road is going to install a brick wall anyway.

Water Drainage: The developer is currently working on removing sediment from the pipe, and once that is done, material will be removed, and landscaping restored.

Fencing: The developer needs to clean out debris in the back of Tom Smith's property, and install a new painted fence.

Lighting: Developer will be asked to move the two light posts from the entrance. One to go in the cul-de-sac at the back of the Colony, and the other to go in the island at Mayflower and Standish.

Carin will contact Allen Wahls to arrange a meeting for the weekend of July 15th.

Other business:

We need a financial report from Fred Fiscus. This can be emailed to the board members. We also would like a spreadsheet showing who has paid the fees this year, and who has not. A reminder notice should go out to those who have not contributed. Letters to cul-de-sac residents should go out outlining social membership status and requirements.

Rae will research signage for the entrance, and email board members results and costs, then we will vote on accepting one of the options. We need the financial report before voting.

Landscaping maintenance quote was obtained by Carin. It will cost \$100 per month for maintenance of the islands and entrance this year from September to November. Hector and Chuey will weed, prune, rake leaves, and install weed n feed on the grass (material extra). We will need to address this again in the spring. Martha Taylor made a motion to accept this cost, and Bill Taylor seconded.

Picnic reminders should go out via email by July 23rd about the picnic on August 6th (rain date the next day). A directory update can also go via email.

The meeting adjourned at 6:00pm.

October 13, 2005

Colony Special Meeting (Residents, Inc.)

The special meeting was held at Bill & Martha Taylor's home at 7pm. Approximately 20 residents attended.

The meeting was called to inform and discuss the potential development of the Fox property on Versailles Rd.

Three of development principals were there to present their plan. Some points they made were that the property is in a flood plain (thus is undesirable for development), and has been for sale for 2 years. Their plan is to develop the 9.8 acres into 42 two-story townhomes. They presented a preliminary model illustration to propose the \$350,000+ brick townhomes.

Residents had several questions and concerns:

Has a hydrology analysis of the flood plane been done?

Have they allowed for water/creek runoff from the Colony?

Will they screen the lots that are adjacent to property and Colony residents?

Will there be a neighborhood association?

Has there been a traffic impact study?

Will they seek a zone change?

Will they establish construction timeframe restrictions?

How many builders will be involved?

Would they put up monies for collateral if they don't do what they promise?

Several residents were very hesitant for another developer to come in adjacent to the Colony due to all the problems we have had with the new Colony developer.

The developers next step will be to seek zoning change. We will wait and see what happens.

Meeting adjourned.

Dear Colony Neighbors,

On Thursday evening, October 13, approximately 20 Colony residents heard a presentation by Mr. Brian Hill (a landscape architect currently with the Lexington firm CMW, inc.) to introduce plans a newly formed company ("H3, LLC") are making to develop the 9 acre Fox property fronting on Versailles Road immediately to the East of the Colony.

Their plan is for 42 Townhouses (spanning the \$350,000 to \$500,000+ price range) in a group of 5 buildings on both sides of the creek that runs, generally, through the center of the property from south to north. They plan to turn the creek into an elongated pond as it runs through the property. The major problems with developing this property have been (1) it is zoned for half acre minimum single family residences, and (2) that its center area along the creek is in the flood plain. The H3, LLC group plans to apply for rezoning to permit the townhouse density and raise the east and west portions of the property with fill from digging the pond along the creek thereby establishing the needed elevation differential from the flood plain.

Given the short notice period to arrange this meeting, we were able to attract enough neighbors, I believe, to give Mr. Hill representative feedback on his plan and raise several concerns. This is a very brief report on the outcome of this meeting.

The major concern voiced by this group was flooding potential and aggravation of current water drainage problems in our area. Of course, any developer will have to satisfy the city's engineers that the proposed development would not have undesirable effects on drainage or cause new problems to arise. In addition, concerns were expressed on traffic impact on Versailles Road from the new development as well as concerns on visual impact the townhouses might have on the nearest Colony neighbors and on the Colony in general.

Mr. Hill prepared "Program Data Files, PDFs" showing an aerial view of the area he wishes to develop and its relationship to the Colony as

well as an overview drawing of the planned town house development. I am attaching these hereto for your information, if you have not yet seen them.

Several attendees commented on the benefit to the values of Colony properties of having "upscale" townhouses in the Fox property compared to less inviting commercial or apartment house possibilities. Others expressed the opinion that this property should not be further developed. Mr. Hill indicated the reactions from Colony residents were important to their group's decision on moving forward with the next stages of permitting and plan approval that would, of necessity, involve considerable financial risk to themselves if the project could not move forward.

Mr. Jerry Nichols, speaking for the Board, was forceful in advising Mr. Hill of the disappointment felt by the Colony in its 5+ years of problems and broken promises with the New Colony developers. Thus, Mr. Hill would appreciate a certain suspicion and general concern among Colony residents toward any "new development" proposal so close to our border.

Your Board of Directors will keep you informed as this situation matures and, as required, ask for informational meetings with you from time to time.

Sincerely, Bill Taylor, Residents Inc. President
whtii@aol.com phone: 254-9626

Attachment A

Revised & Redefined, Yet to be Completed Work Scope under the Williams Agreement approved at a special meeting of Residents, Inc. held on Oct. 14, 2004.

Pursuant to **Paragraph 16** of the 25 July 1997 Agreement between J. Williams, Inc. and Residents, Inc., Residents Inc. after discussions with J. Williams proposes the following "Work Remaining" to the referenced paragraphs of that Agreement.

Done Except Painting?

1. Install three speed humps as indicated on Display #1. These speed hump placements have been approved by the city. ((Ref: Agreement ¶ 7))

2. All of the interior islands need to be landscaped, as provided by the Agreement. Lowell Bush, the Developer and their landscaping contractor have reviewed the revised plans and agreed to them. ((Ref: Agreement ¶ 7))

NEXT

3. In lieu of a full Roundabout, the Developer will remove the asphalt within the circle (east-west coordinates) and include that area in the revised landscaping plan. The north-south portion of Standish will remain untouched. See display #2. ((Ref: Agreement ¶ 7))

4. The access easements to the large lake will be cleared (trees currently impede access), fitted with an approved walkway and maintained as required in the Agreement. Display #3 indicates these easements, and an aesthetically pleasing walkway consisting of trench with pea gravel or recycled tire mulch (preferred) is suggested. ((Ref: Agreement ¶ 5))

relate to common issue

5. The Versailles Road retention pond needs to be cleaned mowed and maintained. The aerator needs to be powered and in working condition. The overflow abutment was rebuilt last year, but was build too low and will never allow enough water into the pond to achieve an ecological balance. These issues need to be corrected. ((Ref: Agreement ¶ 4))

Not in Old Colony Common Bld Effort Colony

No

6. The roadways in the Colony need to be repaired and repaved where appropriate, due to noncompliance of paragraph 2 of Agreement ((ref: Agreement ¶ 2))

Done

7. The fencing on Versailles Road needs a second coat of paint. ((Ref: Agreement ¶ 7))

Getting F&D WALL

8. The water drainage problem that affects the Lovell, Web and Richardson properties needs to be corrected. ((Ref: Agreement ¶ 7))

** Correct Original*

9. Fencing along the back of Tom Smith's property needs to be replaced, and the brush cleaned out. ((Ref: Agreement ¶ 10))

No

10. Move the two light posts from the Colony Entrance to the back cul-de-sac and corner of Colonial and Standish. Resident's Inc. will give Developer one light to go in cul-de-sac to be in compliance. ((Ref: Agreement ¶ 7))