

From: "Maples, Bill" <bMaples@Half.com>
Subject: **RE: Parcel 63 (183 expansion)**
Date: July 13, 2009 2:58:37 PM CDT
To: "Robert Bauer" <board@beverly-oaks.org>

Robert,

I have attempted to answer your questions from your e-mail.

1) What is the precise boundary of the acquisition - specifically does it include the land upon which lies the concrete walls, the electric meter and signage, or the traffic treadles?

The boundaries of the area to be acquired is completely outside the confines of the fenced area. The area to be acquired is literally the first 11.42 feet and is the area out in the grass by the road.

2) Does the acquisition include any water main valves or access portals to water, sewer lines? We currently own the sewer and water mains under the road.

I don't have mapping to show that detail but it is almost impossible to widen an existing roadway without disturbing the infrastructure that lies beneath the surface. TxDOT will be responsible for severing and reconnecting your existing services, at their expense. And they will do it in advance of the road work so there will be no loss of service except part of the day they make the change over.

3) The offer does not specifically say that this drive will have continued access to the service road of 183. The access, and the design of the access is very important. We would like to see the specific plans/drawings for this.

The survey which was in the Offer Package and in the appraisal is the basis for the question and fortunately the weird little symbol for Control of Access does not appear anywhere on your parcel. The entrance will be graded (if necessary) and the driveway/curb cut will be installed at TxDOT's expense.

4) The offer does not specifically tell us that how the water, sewer and storm drains below the parcel 63 will be maintained and by whom and how that will be documented.

It is my understanding that as long as the driveway area remains private property that neither TxDOT nor The City of Irving can be responsible for your infrastructure except where connects to their system.

5) If we need to extend the 30 day window to respond (because of this information gathering) - how do we do that?

You may request a 30 day extension simply by sending me an e-mail explaining that due to your research, data gathering (for example) or waiting for a scheduled Board Meeting will exceed the original 30 day and you need more time. I will then forward it to TxDOT for approval.

An issue a little ways into the future is the authority of the individual who will sign the deed for the Association. The Title Company will require satisfactory evidence of authority for those acting on behalf of any party to the transaction to which this commitment is addressed, or in other words a Resolution from the Board empowering the signer and the Resolution must be enacted prior to the deed signing date.

If you have any other questions, if my answer didn't make sense to you or if you desire additional detail on any issue, please let me know.

Thanks,

Bill

From: Robert Bauer [<mailto:board@beverly-oaks.org>]
Sent: Monday, July 13, 2009 11:11 AM
To: Maples, Bill; billmaples@half.com
Subject: Fwd: Parcel 63 (183 expansion)

Bill can you confirm receipt of this? The original was returned.

Begin forwarded message:

From: Robert Bauer <board@beverly-oaks.org>
Date: July 13, 2009 10:58:54 AM CDT
To: billmaples@half.com
Subject: Parcel 63 (183 expansion)

Hi Bill,

Good speaking with you this morning. As I said, I have a couple of questions before presenting the offer to the board of directors:

1) What is the precise boundary of the acquisition - specifically does it include the land upon which lies the concrete walls, the electric meter and signage, or the traffic treadles?

2) Does the acquisition include any water main valves or access portals to water, sewer lines? We currently own the sewer and water mains under the road.

3) The offer does not specifically say that this drive will have continued access to the service road of 183. The access, and the design of the access is very important. We would like to see the specific plans/drawings for this.

4) The offer does not specifically tell us that how the water, sewer and storm drains below the parcel 63 will be maintained and by whom and how that will be documented.

5) If we need to extend the 30 day window to respond (because of this information gathering) - how do we do that?

We look forward receiving your response. We would prefer partial answers as you get them rather than waiting for all the information to be gathered.

Please confirm receipt of this email.

Robert Bauer
(972) 322-1600