

Penny, Eric,

The rains we have had the last two weeks, have proven the storm water drainage system recently installed does not perform as the contractor indicated to you that it would, as there is still an excessive run-off impacting both you and your neighbor. The 8 inch system has proven not to resolve the drainage problem and must be modified and/or replaced to connect into the 18 in County sewer system.

When we met with you earlier, you and the contractor showed us the plan with the 8 in pipe, we told you to secure a commitment from the contractor that the 8" system would perform to resolve the drainage problem. If it did not do so, you would need to re-install a system that would. It was then we were informed you had already signed a contract with the contractor and had paid him in full up front for the 8 inch system, the components for which had already been delivered.

Reluctantly we agreed, as you had already committed and our counsel said that we could not stop you from implementing a solution a contractor defined as resolving the problem. We wished you luck on the project. Almost immediately it rained and the system failed to perform adequately. A submersible sump pump was installed to assist, but this, also, did not resolve the situation.

August 31<sup>st</sup> after a night of rainfall a concrete truck was outside your home with 3 cubic yards of concrete to pour a 12 x 15 foot slab abutting the rear of your home. The truck had been there since 7:30 AM. I arrived around noon and told them to stop as none of the concrete work had not been approved by either the Cook's Valley Home Owners' Association, or the Cobb County Community Development, erosion control section. That large a section of concrete would reduce the absorbency of that 12 x 15 foot section and potentially worsen the drainage situation – not improve it.

I contacted the county and they were confirming that a permit was required. The concrete contractor also contacted the county and told me he was told that a permit was definitely required, but that since the concrete would only be workable for the next half hour, they would conditionally approve pouring the slab provided you would obtain the permit first thing on Tuesday morning, September 1<sup>st</sup>. I told the contractor to provide my number to the person he spoke with at the county and have him call me to confirm the conditional authorization. No one ever called and since the contractor said you had already paid for the load. I reluctantly allowed the slab to be poured. Vickie assured me she would secure the permit first thing Tuesday morning, photograph the permit and email that to myself and Eli.

Vickie indicated that your next project was to be the fence and some work in the front yard. I told her that prior to that, you need to complete resolving the drainage problem.

Before doing anything you need to submit requests including detailed drawings to the Architectural Control Committee (ACC) to assure compliance with our covenants and any applicable county requirements\* – which supersede those of the ACC. This is MOST important; as we do not want to see you continue to waste your hard-earned money on a trial and error approach to resolving this issue.

\*If they are trying to convey the runoff from above their lot to the street then the entire length needs to be 18". If they want to tie anything directly into the County system within the street right-of-way we **will require an engineered drawing by a registered professional engineer as well as a recorded drainage easement across the neighbor's (Price) if required. The system must be approved and properly permitted prior to installation.** As a County employee, I cannot design this system for them. They must engage a registered engineer to do that.

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August 31<sup>st</sup> after a night of rainfall a concrete truck was outside your home with 3 cubic yards of concrete to pour a 12 x 12 foot slab abutting the rear of your home. The truck had been there since 7:30 AM. I arrived around noon and told them to stop pouring the concrete work had not been approved by either the Cobb County Home Owners' Association or the Cobb County Community Development. That large a section of concrete would reduce the absorbency of that 12 x 12 foot section and potentially worsen the drainage situation - not improve it.

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