

November 19, 2004

From: Mallard Park Taylor, LP  
John Biggar  
P.O. Box 27320  
Austin, Texas 78755

To: City of Taylor  
Frank Salvato  
City Manager

Re: Your letter dated November 12, 2004

Thank you for talking with me on the phone yesterday, and I am sending this to you at your request. We do understand that the pond will need vegetation and fencing and will provide the above as soon as possible. As you are aware we have had heavy rains that have provided heavy rain runoff and our pond did its job and no flooding in this area has occurred. We look forward to solving the issues that your letter provided and what we need is dry weather in order to move forward.

I would also like to explain the development process to you. As a land developer we buy land to develop and sell to home builders, and then we hire engineers to engineer the project, and they in turn work with the Cities they review our proposed plans and provide feed back to the engineer. The City then approves the plans with any changes and we contract with a construction company to build the improvements, and after we have completed the construction, then we call the City back to the project and have them approve the design and build. We pay engineering fees, city fees, roll back taxes, and construction fees and hopefully have a successful project. All of the above was performed by us for this project. The City of Taylor has not provided any incentives for us to make the multi million dollar investment in Taylor, and is very fortunate to have Lennar (NuHome) build in its City and provide quality homes at affordable process.

Again we look forward to solving this problem in the near future. Please contact me if you need more information. As you know, we did not receive any calls or letters regarding these concerns until we received this letter. Hopefully we can address these concerns before they get to this stage in the future.

Sincerely, John Biggar

*Mallard*



November 12, 2004

Mr. Craig W. Biggar  
P.O. Box 27320  
Austin, Texas 78755

Re: Mallard Park Development, Taylor, Texas

Dear Mr. Biggar:

A substantial number of homeowners who live near Mallard Park Phase 1 have delivered a petition to the City of Taylor protesting the condition of the detention pond in your development. As you will see from the copy of the petition that is attached, their concerns range from the appearance of the pond to health and safety issues. The following list is my interpretation of the common themes throughout the petition:

- Mosquitoes and other animals inhabiting the pond area
- Safety – fence needed to keep children from falling in
- Mudhole/Eye Sore – grass and landscaping needed to control erosion and improve appearance
- Mow weeds
- Pond is incomplete and not what was promised

Your proposal to City Council to install a pump in the pond to dewater it would help alleviate some of these concerns; however, you will still be left with the issues of cleaning up the pond and getting grass established. The slopes of the pond were designed to be underwater and are steeper than desirable for minimizing erosion and establishing grass. I recommend that you look at using permanent soil retention blankets on the pond slopes to hold the soil in place and promote the growth of grass. The storm sewer outfalls into the pond were also designed to be underwater. Now with water flowing out of the pipes and down to the bottom of the pond, the exposed ground underneath the pipes is eroding badly and the outfalls are being undermined. Concrete should be extended from each of the outfalls along the bottom of the pond and include significant toe walls and energy dissipaters to reduce maintenance problems. The bottom of the pond should be regraded at a minimum slope of 1% so that water does not pool in the bottom before reaching the pump. The consensus appears to be that a fence is needed around the open pit to keep children out of it.

Another acceptable option is that the pond be fixed to hold water as originally designed. Regardless of the method used to complete the pond, the City Council and City management have expressed that they expect you to clean up the pond without further delays.

There is an additional item that remains unfinished with regard to Phase 1 of Mallard Park. I still have not received Record Drawings from your Engineer although we were promised that those would be delivered in a timely manner after the public improvements were accepted and I have requested those on a couple of occasions. Please find out what the problem is and resolve any issues that are delaying delivery of the Record Drawings to our office.

If you have any questions, feel free to contact me at (512) 352-3633.

Yours truly,

A handwritten signature in cursive script that reads "David Simons". The signature is written in black ink and is positioned below the typed name.

David Simons  
Capital Projects Manager

DS/same

Cc: Frank Salvato, City of Taylor

This is a protestation regarding to the so- call holding tank on Jason dr..

COMMENTS

My family lives right beside the tank and I notice several problems.

1. It has been an breeding grounds for mosquitos because of the corrosion.
2. Every time the water gets real low the posion snakes and snapping turtles comes up to my front door. This becomes a danger to my two kids under the age of 7. If it was only once in awhile that would be okay, but its every time its only alittle bit or no water in the holding tank. Besides that I'm afraid that one of the kids in the neighborhood is going to get hurt.
3. We ask one of guys over the project about them cutting the grass. Shawn said that its our responsibility to cut the grass around the tank if we wanted <sup>it</sup> cut. Now we do not own the land or put the holding tank there. Besides the holding tank is a neighborhood eye sore.

SOME OF THE COMMENTS OF SOLUTIONS

Place some rocks in it to help with the corrosion. Or make it hold so much water with a pump to keep the water moving. Maybe stock some fish in it to help the mosquito problem. Grow some grass that don't grow tall or keep it cut.

If you would like to put a protest comment or a solution remark you can do so.

Mark protest as P= and solutions as S=

1. Triva Tucker
2. Paula M. Conchie
3. Shanna Fitzgerald
4. Joyce M. Schmidt ?= we was promise something nice not a mud hole.
5. Chris Varek
6. Teresa Varek - please finish the job, don't leave it half done.
7. Robert Hamington - Health hazard
8. Glynda Stiles
9. John Stiles
10. Frank + Heidi Colue
11. Ticket Messengers
12. Doris Blackwell
13. Gene Jarlan
14. Majord Jarlan
15. Deborah Tolson
16. Majorie Collins
17. Janis Kuhn - Need seeding & grass
18. Tracy White - recommend a fountain
19. Tim Kuhn - " " "
- Sherry Morrison - Not as promised
- Pat Herbert - need to make safety concern + take care of mosquitoes

- 20 ~~Paul Jack~~
- 21 Calvin J. Glover 2109 Lark Ln
- 22 Frances Salazar 2102 LARK LN.
- 23 Deborah Schermik 2101 Lark Ln
- 24 Sandra Thomhill 1901 Donna Dr
- 25 Jack ~~Thompson~~ 1901 Donna Dr
- 26 ~~Marion R. Johnson~~ 2101 Lark Ln
- 27 Donna Imzary 2100 Robin Ln
- 28 ~~Paul Mann~~ 2007 Robin Lane
- 29 Beck Pederson 2009 Robin Ln
- 30 ~~Neil Mott~~ 2100 Robin Ln \*Needs A Fence Around it!
- 31 COFFEE HOT 400 CR 309
- 32 Brooke Anders 4101 PM 973
- 33 Morgan Fought 2107 Robin Ln
- 34 Shelly Kolonel 2104 Robin Ln. (Dangerous)
35. Zoe Ferragly 2106 Robin Ln. (put a fence)
- 36 ~~Chy Tunga~~ 2200 Robin Ln
37. JOHN GENSLER 2206 ROBIN LN (RATS MOSQUITOES)
38. Heather Hertz 2208 Robin Lane - landscape & fencing
39. Rachel Finn 2208 Jason Drive
40. Linda Kay Finn 2208 Jason Drive
41. Amanda Finn 2208 Jason Drive
42. ~~Steve Finn~~ 2208 Jason Drive
43. Kyle Brooks 2902 Zachary
44. ~~Nicole Lee~~ 2902 Zachary
45. ~~W. Michael~~ 22010 Jason
46. ~~Dr. Hankins~~ 2204 Jason Dr.
47. ~~Ed Palm~~ 2205 Jason
48. ~~Sharon Johnson~~ 2205 Jason Health Hazard!!!!
49. ~~Matt Johnson~~ 2205 Jason Dr.
50. ~~Janie Schneider~~ 2203 Jason - Jason
51. ~~Charles McVallis~~ 2110 Jason Drive = nothing but mosquito breeding holes!!!!
52. ~~Roxana Teichman~~ 2201 Jason - What Planning = Legal
53. ~~Brandon Bishop~~ 2111 Jason
54. ~~Fong~~ 2111 Jason
55. ~~Kay Bishop~~ 2111 Jason Hazard to small children attractive nuisance
56. ~~Prescott Hedge~~ 2207 Jason; Mosquito breeding nest
57. ~~Tim~~ 2500 Cherry Lane Dr. where is the fence

- 59 Linda Stanford - health hazard  
60 Harold Stanford - safety hazard for kids  
61 Donald R. [unclear]  
62 Christy Picow - this pond is dangerous without a fence to keep kids out of it. I have personally seen children slide their bikes down the embankment.  
63 Anne M. Platy - safety issue

Mary Hendrix 2602 Cherrylawn Dr Health Hazard

Kevin Ford 2606 Cherrylawn Dr.

Jewel Dawes 2600 Northlawn Dr.

Justin Newson 7406 Cherrylawn Dr - Safety Hazard - Needs fence around it

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Sue Gray - Mesquito problem - eyesore  
Herbert D. Bourke SAFETY HAZARD  
By ~~John~~ ~~Hawkins~~  
B. Gray - Some child is going to drown w/o a fence  
Adeline Ortiz - our yard (back) flooded haent improved any -  
Mildred Behan - Safety Hazard  
Rudy Aal-5 - 2505 Chemlawn Dr.  
Meegan Hanson 2503 Chemlawn Dr.  
Selinda Vizona 2409 Cherrylawn Dr. - mosquitos  
Nora Mae Haag 2407 Cherrylawn DR. mosquitos  
Herbert Shaw all  
W. J. Wilton 2303 Northlawn  
L. Doren FIFE  
Stew Schavala 2404 Northlawn Drive P=mosquitos  
Kurt Olson  
George Lyda Graham 2406 Northlawn Dr - road needs to be completed  
Sharon & Ken Smith 2505 Northlawn Dr. estrie is made of loose asphalt  
& safety of children is great concern  
Camie Wall 2506 Northlawn Dr  
Xany K. Snell (p) Needs to BE ASAP FOR SAFETY