

Guy L. Gagné, P.E.
Town Engineer
townengineer@somersny.com

PLANNING AND ENGINEERING DEPARTMENTS

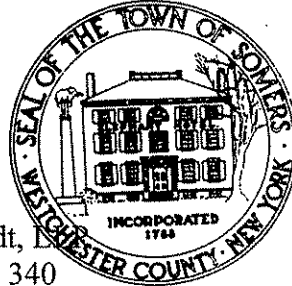
Town House
335 Route 202
Somers, N.Y. 10589
Tele #: 914-277-5366
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Sabrina D. Charney Hull
Town Planner
townplanner@somersny.com

Town of Somers

WESTCHESTER COUNTY, N.Y.

VIA FACSIMILE



December 29, 2005

Linda B. Whitehead, Esq.
McCullough, Goldberger & Staudt, LLP
1311 Mamaroneck Avenue, Suite 340
White Plains NY 10605

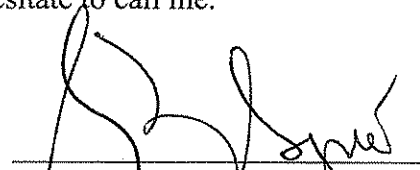
**Re: The Preserve at Somers
Sections I & II Dedication**

Dear Ms. Whitehead:

Pursuant to our conference call with Ken Powell December 29, 2005 when we discussed your letter dated December 27, 2005, and the three checks to serve as the required cash bond; and the executed deeds for sections one & two of the preserve with the accompanying recording forms, I have listed the missing items below:

1. Title Report.
2. The instruments conveying the water, sewer and sight easements.
3. The verification that taxes on the roads has been paid.
4. Deed to pump station lot.
5. You may recall that we had agreed to a two (2) year period for the \$10,000 cash bond (Harris pipe) from the dedication time. Therefore, to December 31, 2007.
6. The icing problem \$15,000 cash bond must be extended to April 1, 2007, only in the event that this winter season is not representative of a normal winter.
7. You will recall that we were to receive a copy of the Stormwater Management Plan.

If you have any questions, please do not hesitate to call me.


Guy L. Gagné P.E.
Town Engineer

GLG/wg

cc: Town Board, Town Clerk, Town Attorney,
Highway Superintendent, Nicholas Ward Willis