From: HartkeS@bceo.org
To: PottengerE@stormwaterdistrict.org
Subject: Fw: Highland Greens Drive, Capstone Boulevard Improvements
Date: Wednesday, June 18, 2014 11:50:58 AM
Attachments: pic25770.jpg
pic00702.jpg
pic14364.gif
pic01381.gif
pic16590.gif

Eric,

See comments/question below from Kevin Malof (Butler Tech attorney). Just an FYI since some of it is in regards to the dedication plat and subordination agreements.

(Embedded image moved to file: pic25770.jpg)
----- Forwarded by Steven Hartke/BCEO on 06/18/2014 11:48 AM -----

From: "Malof, Kevin K." <kmalof@fbtlaw.com>
To: 'Rich Arnold' <RArnold@McGillSmithPunshon.com>,
Cc: "Chris Wunnenberg (chriswunnenberg@schumacher-dugan.com)" <chriswunnenberg@schumacher-dugan.com>, Abbie Cook <cooka@Butlertech.org>, Craig Rambo <CRambo@McGillSmithPunshon.com>, David Clark <dclark@McGillSmithPunshon.com>, Judi Boyko <jboyko@WestChesterOH.Org>, "jdevelbiss@shooktouchstone.com" <jdevelbiss@shooktouchstone.com>, "Cynthia Johnson" <johnsonc@Butlertech.org>, 'Jan Kesselring' <kesselringj@Butlertech.org>, Bill Miller <millerw@Butlertech.org>, "David Plotts" <plottsd@Butlertech.org>, Ed Pokora <pokorae@Butlertech.org>, "Jim Reffitt" <reffittj@Butlertech.org>, Rick Nichols <RNichols@McGillSmithPunshon.com>, Bill Solazzo <solazzob@Butlertech.org>, "Phillips, Scott D." <sphillips@fbtlaw.com>, "wilkensg@bceo.org" <wilkensg@bceo.org>, "cduffy@barreng.com" <cduffy@barreng.com>, "kepnercm@butlercountyohio.org" <kepnercm@butlercountyohio.org>, "Martha Shelby (shelbyma@butlercountyohio.org)" <shelbyma@butlercountyohio.org>, "HartkeS@bceo.org" <HartkeS@bceo.org>
Date: 06/18/2014 11:26 AM
Subject: RE: Highland Greens Drive, Capstone Boulevard Improvements

Rich and Everyone Else,

I’ve reviewed all of the documents related to the dedication plat, legal descriptions, etc. Provided below are questions that are directed at you and, where indicated, to [EVERYONE] on this email, so we can make sure

everyone knows who is responsible for the coordination of the documents/tasks:

1. [EVERYONE] OEPA approvals. These documents discuss restrictions, conditions and submittals before construction. Who is responsible for coordination of these? BCEO?

2. [EVERYONE] Subordination Agreements and Work Agreements. Who will coordinate notifying parties to the Subordination Agreements and Work Agreements and facilitate obtaining the execution of each? Chris Wunnenberg?

3. [EVERYONE] What is the status of McDonalds? The Dedication Plat and requirement for owner and lien holder signatures still reflect Highway Development and Gilligan Oil. If we are trying to complete the final draft for execution, will we have two different versions or one?

4. [RICH] Legal Descriptions and Exhibits. None of these contain the name of the party that should execute the Subordination Agreement (the grantee). Do you have this information and can it be included on each document? Right now, they all show "DESCRIPTION FOR: Butler Technology and Career Development Schools"

5. [RICH] Portion of 20' Sanitary Sewer Easement. The exhibit to this legal description does not reflect (as shaded) the area to be subordinated. Did I miss it?

6. [RICH] 15X30 Sign Easement. Isn't this being vacated since it sits on the east side of the new road (closest to McDonalds)?

7. [RICH] Dedication Plat. Should your current draft show the lien holders now? For example, only Lakota Lakes (Thrivent) and Gilligan Oil (5/3) show liens on the property. Will this change based on #3 above?

Please copy everyone on this email if you know these answers or have agreed to take responsibility for one or more of these matters.

Best Regards,

Kevin

Kevin K. Malof
Member | Frost Brown Todd LLC

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From: Rich Arnold [mailto:RArnold@McGillSmithPunshon.com]
Sent: Monday, June 16, 2014 1:21 PM
To: HartkeS@bceo.org; Malof, Kevin K.
Cc: Chris Wunnenberg (chriswunnenberg@schumacher-dugan.com); Abbie Cook; Craig Rambo; David Clark; Judi Boyko; jdevelbiss@shooktouchstone.com; Cynthia Johnson; 'Jan Kesselring'; Bill Miller; David Plotts; Ed Pokora; Jim Reffitt; Rick Nichols; Bill Solazzo; Phillips, Scott D.; wilkensg@bceo.org; cduffy@barreng.com; kepnercm@butlercountyohio.org;

Martha Shelby (shelbyma@butlercountyohio.org)
Subject: Highland Greens Drive, Capstone Boulevard Improvements

Good afternoon Steve,
The attachments are pdfs of the OEPA water main and sanitary sewer approvals for your records.

Please call if you have questions.
Thank you.
Rich

Rich Arnold, LEED AP
Vice President
Land Development

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