

Tylerville Investments, LLC
c/o Ganer
16 Reynolds Lane
Katonah, NY 10536

June 30, 2017

VIA EMAIL: barnest@bceo.org
Butler County Engineers Office
1921 Fairgrove Avenue
Hamilton, Ohio 45011
Attention: Theresa Barnes, Design Manager

RE: Certain construction by Tylersville Investments, LLC ("**Owner**") relating to the Texas Roadhouse restaurant located at 7309 Kingsgate Way, West Chester, Ohio 45069 (the "**Premises**")

Ms. Barnes:

It is my understanding that Texas Roadhouse is requesting a certificate of occupancy for the Texas Roadhouse restaurant to be located on the Premises and that the Butler County Engineers Office will not issue such certificate of occupancy because the existing detention basin located on the Premises is not currently constructed in accordance with the applicable design specifications. Owner is diligently working to make the necessary corrections to the detention basin to cause the same to become in compliance with such design specifications and intends to have the necessary improvements made by no later than July 15, 2017.

In consideration for the Butler County Engineers Office agreeing to issue the certificate of occupancy for the Texas Roadhouse restaurant, Owner agrees to indemnify, defend and hold harmless Butler County, Ohio from any and all claims, demands, causes of action, judgments, liens and expenses (including reasonable attorney's fees), costs and damages arising from the non-compliant detention basin. The indemnity provided within this letter shall terminate effective as of the date the Butler County Engineer's Officer confirms that the detention basin is in compliance with the applicable design specifications.

In the meantime, please do not hesitate to contact me with any questions or comments. Thank you in advance with the assistance with this request.

Sincerely,

TYLERSVILLE INVESTMENTS, LLC,
an Ohio limited liability company

By: 

Name: Richard Hymas

Title: MANAGER