

September 29, 2015

Town Board
Town of Dryden

Re: Varna Tiny Timber Development

Dear Town Board:

I am the attorney for the developer of the development proposed for the corner of Freese Road and NYS. Rte. 366 in the Village of Varna.

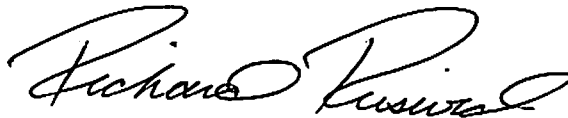
It is my understanding that the Town wishes to further clarify the maintenance of the common elements of that development. The purpose of this letter is to hopefully set out the developers intent that issue.

The current plans for the development call for the sale of 15 individual house lots. The house lots, which would be individually owned, would share the use of a common drive, parking area, pavilion, well, septic, and undeveloped areas of the real estate which are not part of the house lots (the "common elements."). The common elements would be owned by a homeowner's association which would be responsible for the maintenance of the common elements. The cost of the upkeep of the common elements would assessed to the individual lot owners in the form of a monthly maintenance fee. The rules regarding the use of the common elements and for the procedure to assess and collect the maintenance fee, and other relevant matters, are intended to be contained in a Declaration of Covenants, Conditions and Restrictions which will be recorded in the Tompkins County Clerk's Office prior to the first house lot being sold.

I do not yet have a final draft of the Declaration of Covenants, Conditions and Restrictions. In order to sell lots in the development, the developer must first obtain clearance from the New York State Attorney General's Office. One of the documents that must be submitted to the NYS Attorney General is the Declaration of Covenants, Conditions and Restrictions. Therefore, we will not have a final draft of that Document until it has been submitted and approved by the NYS Attorney General. In addition, one of the other documents that must be submitted to the NYS Attorney General as part of this approval process is a copy of the subdivision, or other necessary, approval of the local government. Therefore, the developer must obtain the Town's approval before it can even make a submission to the NYS Attorney General.

I hope this letter has been helpful. If I can be of any further assistance, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard P. Ruswick". The signature is fluid and cursive, with the first name "Richard" being larger and more prominent than the last name "Ruswick".

Richard P. Ruswick