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December 01, 2021

City of Montgomery Dave McCorquodale 101 Old Plantersville Montgomery, Tx 77356

RE: Request for Final Acceptance for Hills of Town Creek Section 3

To Whom It May Concern:

The purpose of this letter is to formally request the City of Montgomery provide Final Acceptance of the Hills of Town Creek Section 3 (HOTC3). Construction for HOTC3 was completed at the end of 2018. A summary of events from that date are summarized below:

- 12/7/18: Final inspection for initial City acceptance
- 01/22/19: Initial City Acceptance approved at City Council
- 01/10/20: One year warranty punch list issued by J|C
- 02/10/20: J|C conducted a second final inspection of HOTC3 which involved "flooding" the streets, which revealed a bird bath on only Brocks Lane
- 02/14/20 03/02/20: Continued conversation for a solution of sidewalk issue and bird baths
- 05/22/20: Contractor submitted plan to grid a 4" wide relief swale to City to review
- 06/25/20: J|C denied Contractor's plan for the relief swale due to concerns of debris being collected in the relief swale
- At this stage, HOTC4 construction plans were complete and going through plan review and it was agreed HOTC3 be repaired with the construction of HOTC4
- 06/22/20 10/20/20: HOTC 3 Contractor informed Developer that they were dissolving and are not able to complete any further repairs.
- 06/22/20 10/20/20: HOTC4 plan reviews
- 11/23/20: After being provided a topographic survey of Brock's Lane, L2 proposed a formal plan for grinding the pavement on Brock's Lane. This was submitted based on another Contractor's suggestion who has been able to grind pavement on another subdivision within the City of Montgomery.
- 11/25/20: Pavement grinding solution request was denied and the City stated they are requiring it to be removed, stabilized and repoured. The cost of the repair was approximately \$80,000.
- 11/09/20 03/24/21: Construction for HOTC4
- 2/12/21: Concrete poured at Brock's Lane to complete repair. The City was notified of the completion and was inspected the next month.
- 05/12/21: Formal letter from the Developer was sent to the City requesting acceptance from the City since all outstanding punch list items had been addressed.



- 05/21/21: The City informed Developer and L2 that additional bird baths had formed (west side of Brocks Lane and cul de sac of Scenic Hills Court).
- 06/09/21: Meeting with Developer, L2 and the City to discuss a path forward. All parties came to an agreement and the enclosed memo was generated to summarize the meeting.
 - Please note that the City agreed that HOTC3 is acceptable other than a small 1,000 SF panel at Scenic Hills Court and the bend of Brocks lane and once those two were repaired, the City would accept the infrastructure in a timely manner. It was agreed that no other items could be added to the punch list.
- 07/30/21: Construction of repairs complete
- 08/23/21: After street flooding, L2 observed Scenic Hills completed dry and minor ponding on Brock's lane, but stated this is likely due to heavy irrigation on the corner lot. The sprinklers were ultimately cut off.
- 08/24/21: L2 observed Brock's Lane 95% dry. There was one small area that was still ponding. The City requested additional grinding.
- 10/05/21: The City was notified that all repairs were complete, and we requested it to be placed on the next agenda for final acceptance.
- 11/01/21: City sent an email stating the streets were not acceptable as there was still visible ponding. L2/Developer requested a meeting to discuss.
- 11/05/21: L2 provided photos to the City 30 hours after a rain event showing only ponding on Scenic Hills were a drag mark is still left. The drag mark appeared to be a result of damages after the Contractor completed their work.
- 11/18/21: At the meeting, the City suggested this item gets put on the next Council agenda for open discussion. Additionally, Developer agreed to have the Contractor to patch the still visible drag mark on Scenic Hills, which should resolve the recent ponding from 11/05.

To date, the Developer has spent over \$100,000 in street repairs since the one-year warranty punch list was issued on 01/20/20. The Developer was not able to require his original Contractor to be responsible for these repairs as they informed us that they were dissolving as a company mid 2020. This resulted in the Developer being 100% responsible for these repairs. There have been delays on both sides to try to get this resolved, which is why the City and Developer met in August to paint a clear picture for what is required for the infrastructure to be accepted. In that meeting, the City agreed that there were only two items needing addressed for the City to accept the infrastructure and no other warranty items could be added to that list. It appears that the Developer has completed their commitment and addressed the remaining two areas of concern.

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Ionathan White, PE	
L Squared Engineering	

Attachments: Memo, Photos



Thankwau

City Memo





P: 936-647-0420 F: 936-647-2366

To: City of Montgomery

Jonathan White, PE From:

Stephen Grove, Stylecraft Builders, Inc. cc:

Date: June 10, 2021

Hills of Town Creek Section 3 Warranty Punch List Completion Re:

As discussed in our meeting yesterday, below is an action plan to finalize the warranty punch list for Hills of Town Creek Section 3 and have the City of Montgomery accept the public infrastructure and release the maintenance bond.

- All warranty punch list items previously issued and/or discussed have been approved and accepted to date, other than water ponding at lot 44 on Scenic Hills Court and lot 28 on Brock's Lane.
- No other warranty items may be added to the punch list unless further issues with these two areas are discovered.
- Approximately 1,000 SF of concrete will be removed and replaced on Scenic Hills to allow the ponding water to drain to the nearby curb inlet.
- Approximately 70 linear feet of concrete will be grinded out on Brock's Lane to remove the high spot in the road creating the ponding water. The grinding should not be more than 1" in depth.
- Once the repairs have been completed, inspected and passed, the City will then "re-flood" the streets 30 days later to ensure water does not pond in these areas.
- Water ponding is when water does not drain in 48 hours.
- Once it is confirmed no water is ponding in these areas after 30 days, the City will place the final acceptance of the Hills of Town Creek Section 3 on the next Council agenda.



08/20/21





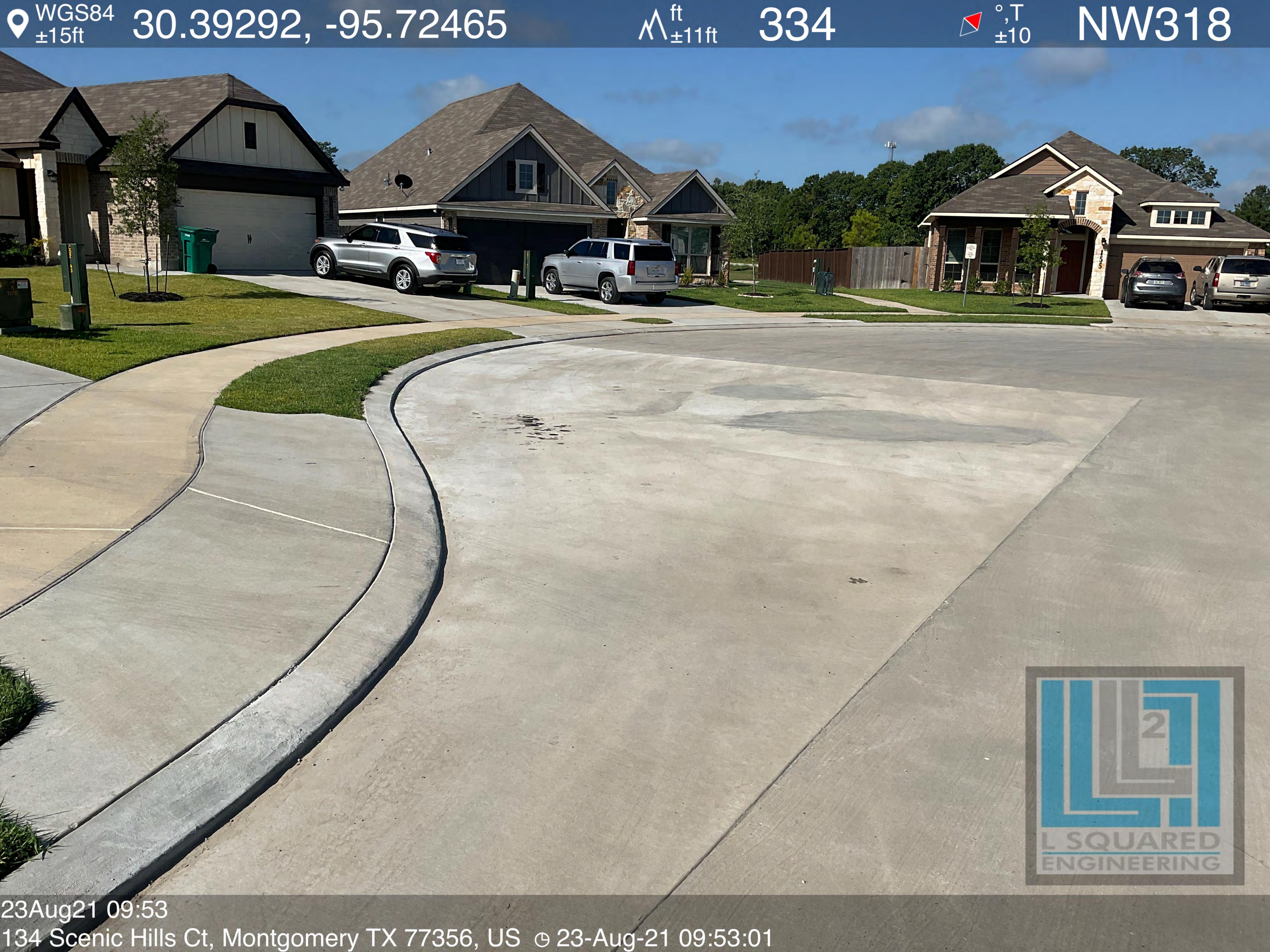




08/23/21

72 Hours After Flooding





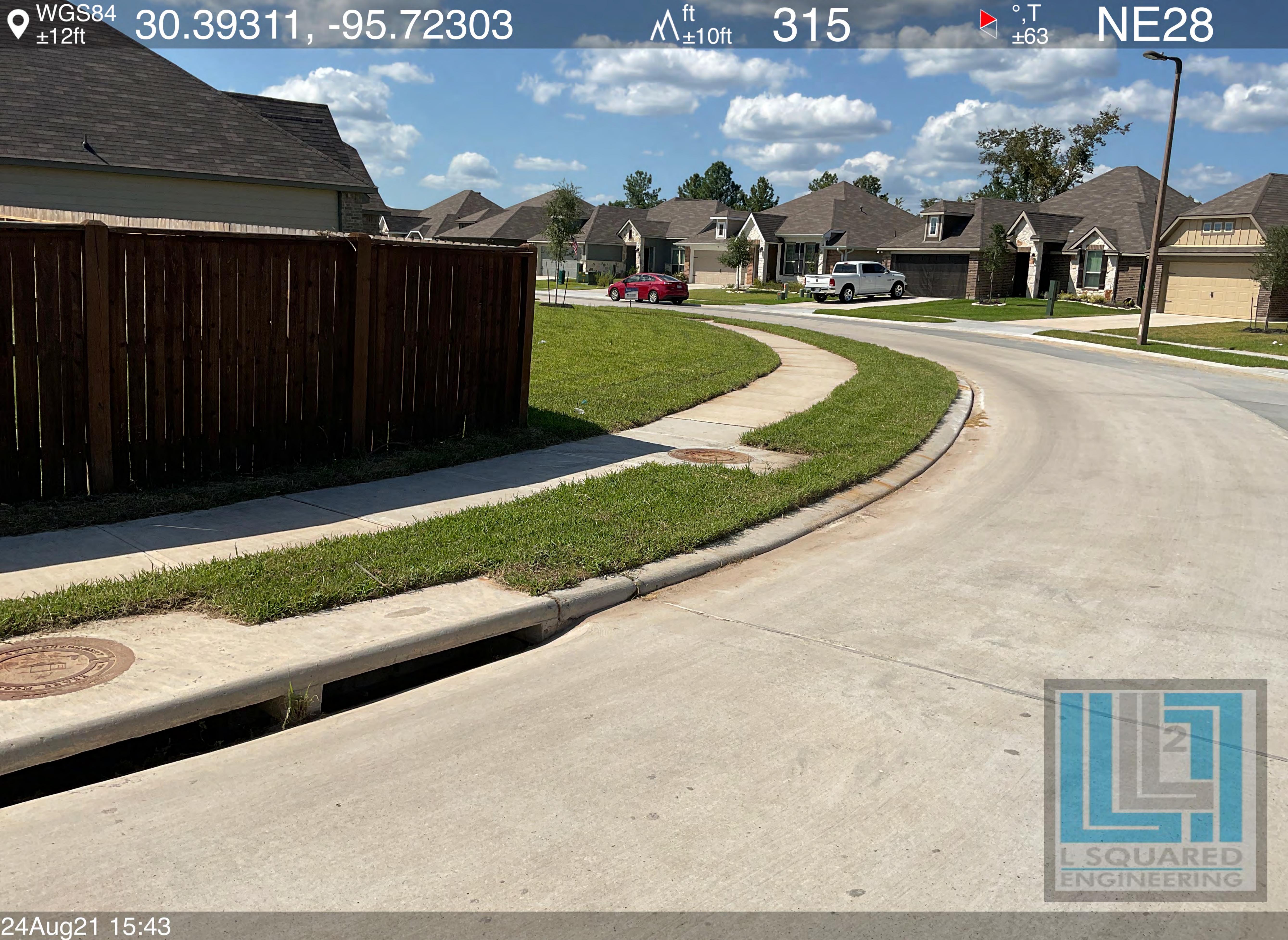


08/24/21

24 Hours After Sprinklers Turned Off







265 Brock's Ln, Montgomery TX 77356, US © 24-Aug-21 15:43:09



11/05/21

30 Hours After Last Rain Event



♥ WGS84 30°23'35.79"N, 95°43'22.74"W M that the state of th

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