



OR CCB # 174389/WA VICTOCL924DE

Victory Construction, LLC
DBA Premier Pools and Spas of Oregon
9150 SW Pioneer Ct., Suite G
Wilsonville, OR 97070
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Email: natashas@ppas.com, vitaliys@ppas.com

Job Site Address:
Larz and Robin Malony
19551 SW 56th Court
Tualatin, OR 97062

Permit # POOL21-1593

Date: 06/27/2020

Dear Tualatin City Council,

First, please allow me, on behalf of Premier Pools, to offer our humble apology for what looks to be a pool project whose perimeter is inside the easement lines established by the Tualatin City Council by 20-24 inches. We acknowledge the issue that the City of Tualatin has pointed out. Our promise to you is that we will fully cooperate with you in the solution of this issue.

You have requested that we professionally and respectfully address the genuine issues that you have brought up. Per your communication and request, please allow me to address below:

The issued permit and its requirements:

Premier Pools hired a professional to go through the permitting process and do what was necessary to acquire a permit based on the City of Tualatin's requirement. It was Premier Pools' understanding that a three foot is standard for setbacks.

What went wrong that resulted in non-conformance:

The gentleman contracted to go through the permitting process proceeded and advised Premier Pools that all was in order based on the proposed installation diagram. Premier Pools only became aware of any requested amendments after the first inspection was made.

The circumstances are outlined below:

The person contracted to go through the permitting process received adjustment requests from the City of Tualatin. We have come to find out that this person then did not remeasure. They simply made a notation on Premier Pools' proposed installation diagram but did not notify Premier Pools of the update. Therefore Premier Pools made the assumption that all was well proceeded with the installation of the pool for the home owner. This action was based on the original advice of the permitting individual and without being aware that this individual had received amendments from the city regarding the easement.

Premier Pools installs pools in the Oregon and Washington area regularly based on a three ft setback therefore, without any further advice or update from the permitting individual, we made an ill-advised assumption and proceeded with the installation of the pool. After the first inspection was made Premier Pools received notification that the pool was set inside the city easement line. Due to the individual, tasked with the responsibility of the permitting process not advising Premier Pools of the amendments requested by the City of Tualatin, we were not aware that there was any problem until the first inspections were made and it was at this time that Premier pools first became aware of the issue.

We are deeply sorry for this miscommunication that resulted poor judgment and in the non-conformance advice by the City of Tualatin.

What can be done to correct the entire non-conformity:

Premier Pools, based on our experience, believes that we can address and professionally correct the non-conformity issue by utilizing an underground boring system. This procedure would be the best solution, least invasive and the most ideal way to address the issue that the city has pointed out. This procedure would minimize any potential issues with fence line and hardscaping in the future and allow for efficient installation of utilities if required in the future.

What magnitude of correction you are proposing and amount of encroachment:

Referring to above, Premier Pools is confident that the corrective boring measures would address and achieve resolution of the non-conformity issues. This would allow for access for future utilities to be installed if required. Premier Pools is experienced and fully capable of performing this boring procedure if required in the future.

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Re: Neighbor Communication: The homeowners at 19551 SW 56th Court, Tualatin, OR 97062 have addressed the setback/easement non-conformity issue with their affected neighbors at 19577 SW 56th Court and have taken time to make sure that their neighbors are fully aware of the concerns of the City of Tualatin. The homeowners at 19577 SW 56th Court have confirmed that it is not a problem for them and have signed a statement confirming their position. We humbly include this signed statement for your reference.

Sincerely,

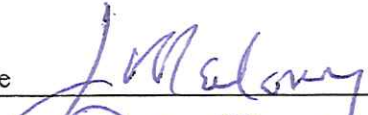
Premier Pools and Spas of Oregon
Natasha Shavlovskiy
Owner-Manager

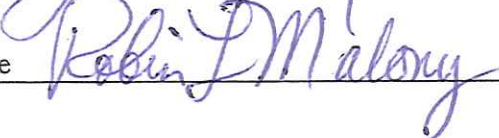
Signature  Date 06/27/22

Homeowner

Name Laurence and Robin Malony

Address: 19551 SW 56th Court Tualatin, OR 97062

Signature  Date 6/27/22

Signature  Date 6/27/22



Date: 6-24-22

During the construction of a swimming pool at the residence of:

Buyer: Laurence and Robin Malony

Address: 19551 SW 56th Ct.

City: Tualatin, OR Phone: 503-691-8988

The property of: 19577 SW 56th Ct. Tualatin, OR 97062

Name: Gary and Janel Buskuhl

Address: 19577 SW 56th Ct.

City: Tualatin, OR Phone: 503-702-3007

will have to be used for access during the construction:

By signing this agreement, I am giving my permission to let Premier Pools & Spas® use my property for access to construct a swimming pool. I am also aware that my neighbor, for whom the pool is being built, will assume all responsibility for damages, if any, during the normal construction of the swimming pool.

Property Owner: [Signature] 6/24/2022

Property Owner: [Signature] 6/24/2022

I do hereby agree to assume all responsibility for any damages incurred during normal construction of the swimming pool to both my own and my neighbor's property.

Buyer: Laurence E Malony 6/24/22

Buyer: Robin J Malony 6/24/22



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T 503-855-4117 F 503-582-8564



2 FEET

3 FT

5 FT



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