

**From:** Dean Fischer  
**To:** Mark Roffers  
**Date:** 2/3/05 9:14AM  
**Subject:** Pine Bluff III - Development Agreement

Mark,

Kevin and I met with Russ Walton in regards to the Development agreement. The two issues were:

1. Howard Road Improvements
2. Sewer/Water extensions to other tracts of land for development

1. Please remove Section 6.4 - Howard Road Improvements

The rationale to not hold monies for the improvements is that the road is in the township presently. The abutting property owner to the east is laying claim to land ownership to the city limits including the road. This property owner has noted they do not want an urban section. Additionally, they are not allowing an access from the Pine Bluff development. Should the property be developed to the east of Bluff Road, it is anticipated it would be a large development and that development will be required to improve the entire street section to whatever design standards are required.

2. Sewer/Water extensions

Please insert a section for recapture rights for sewer/water extensions that provide for service to adjacent lands that are not within street ROW's and do not benefit the immediated development. The recapture will be done as an assessment to the adjacent property by the city. The developer will pay for the installation and will be reimbursed when the assessment is paid by the adjacent property owner. For the Pine Bluff III agreement, this would be a sanitary sewer extension of approximately 175' including two manholes between lots 3 & 4. Actual cost to be determined by the Public Works Director.

Mark, the verbage needs your word crafting skills. We may want to discuss via phone.

Anyone else have any comments, please get them to me asap.

Thanks. Dean

**CC:** Bruce Parker; Chuck Nass; Dean Fischer; Kevin Brunner; Mark Fisher; Russ Walton

*Pine Bluff file*  
*DF*