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2541 Washtenaw
Ann Arbor, MI, 48104
(734) 761-7563

September 1, 2010

To: Jacqueline Beaudry
Ann Arbor City Clerk

Subject: Non-motorized Path Special Assessment Project

Reference: Your letter dated August 23, 2010
Notice of Public Hearing on Proposed Washtenaw Ave
Non-motorized Path Special Assessment Project
September 7, 2010 7:00PM

Dear Ms. Beaudry:

As home owners of a property subject to the proposed special assessment, we are in disagreement with the special assessment. We therefore wish to file written objections with you as the Ann Arbor City Clerk.

We have attached two written objections to this cover letter:

- . The first objection expresses our belief that none of the cost of the path should be assessed to the owners of the property adjacent to the path.
- . If the City Council dismisses the logic expressed in the first objection, the second objection details offsets to the estimated \$4,250 cost of Special Assessment for our property that we believe must be taken into account to arrive at a fair NET ASSESSMENT amount.

We would appreciate the careful consideration of our objections by the City Council.

Sincerely,


David & Edwina Koto

To: Ann Arbor City Council

Subject: Public Hearing on Proposed Washtenaw Ave
Non-motorized Path Special Assessment Project

We believe that none of the cost of the path should be assessed to the owners of the property adjacent to the path.

The MEMORANDUM to the Mayor and Council states that a major advantage is that "the new path will enable citizens that live adjacent to the facility to more safely access the AATA service that runs along Washtenaw Avenue". This may be true, however it is no justification for a special assessment for only the nine houses that face Washtenaw. More pedestrian/bike traffic in front our houses is a major concern from a security point of view. The path will not "create a safe, convenient, and comfortable environment", it will tend to destroy the "safe, convenient, and comfortable environment" that we now have.

The MEMORANDUM to the Mayor and Council also states that a major advantage is that it "will create a safe, convenient and comfortable environment for bicycle and pedestrian travel along this corridor". While this may be true, it does not support a proposal that the property owners adjacent to the path WITH a front door facing Washtenaw should be subjected to a special assessment to pay for the benefits enjoyed by others passing by, whereas the property owners adjacent to the path WITHOUT a front door facing Washtenaw should NOT be subjected to a special assessment.

While we believe that sidewalks in residential areas do yield substantial benefits to home owners, this proposal is for a non-motorized 10 foot wide path that borders a neighborhood and therefore benefits only people/bikes passing by. The nine home owners that have houses that front of the path will have little or no benefit. Think about it:

- . If a child were playing on the sidewalk in a residential area in front of his house and was killed by a car, the news paper would surely report what a terrible person the driver was.
- . If, on the other hand, a child were playing on the bike path along Washtenaw in front of his house and was killed by a car, the news paper would surely report what a terrible person the MOTHER was to allow her child to play in such a dangerous place.

Think about it, again. Would you let your child play on a bike path along Washtenaw only inches from the cement truck driving by at 45 miles per hour....lets vote on it!

Because the path is unwanted, considered a disadvantage, serves no benefit to the property owners, benefits only those who live out side the neighborhood, we believe that there is no justification in imposing a special assessment on the property owners **WHOSE FRONT DOOR FACES WASHTENAW** to pay for the bike path.

To: Ann Arbor City Council

Reference: Jacqueline Beaudry's letted dated August 23, 2010
Notice of Public Hearing on Proposed Washtenaw Ave
Non-motorized Path Special Assessment Project

Marylou Zimmerman's letter dated August 10, 2009
Washtenaw Non-motorized Path Project
2010 Construction Season

We take issue with the estimated cost of the Special Assessment of \$4,250 as contained in the referenced letted of August 23, 2010

Our issue is detailed below and is based on the information contained in the referenced letter from Marylou Zimmerman dated August 10, 2009.

CONSTRUCTION PLANS

The construction plans included the following:

- replacing 24 feet of our concrete driveway
- constructing a retaining wall along the eastern section of our property

SPECIAL ASSESSMENT

We will be assessed in the amount of \$4,250.

As home owners and at our initiative, we cooperated with the construction engineers to both reduce the cost of the project to the city and to make it more acceptable to us. We agreed to a revised plan that will result in lowering the cost of the project by the following:

- . eliminate the need to remove and replace most of the concrete driveway (saving an estimated \$3,250)
- . eliminate the cost of building approximately 100 feet retaining wall (a net saving stimated to be over \$3,000). A smaller retaining wall must still be constructed at our expense (The TEMPORARY GRADING PERMIT signed in April 2010 states that "Grantor, at its sole expense, will consturct a boulder retaing wall").

Accordingly, it is only fair for the city to recognize our efforts that resulted in lowering the cost of the project by eliminating the need to remove and replace 24 feet of concrete driveway and eliminating the cost of building approximately 100 feet of retaining wall. Along with the credit for the Temporary Grading Permit, these revisions result in the total elimination of the assessment as shown below:

. Total Assessment	\$ 4,250
. Less:	
- Temporary Grading Permit	\$ 1,163
- Cost Savings for driveway	3,250
- Cost Savings for retaining wall	3,000
TOTAL NET ASSESSMENT	<u>\$ -0-</u>

David & Edwina Koto 2541 Washtenaw