



William A. Price, Attorney

wprice@growthlaw.com

PO Box 1425

Warrenville, IL 60555

GrowthLaw

www.growthlaw.com

800-630-4780

November 10, 2018

David Brummel,
Mayor
City of Warrenville
Via email davidbrummel@warrenville.il.us

RE: Storm Drain Repairs, River Oaks

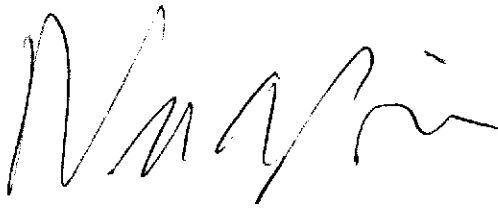
Dear Mayor,

1. This office represents the River Oaks Improvement Association. The Association requests that the City, as it has in past instances, repair the city property (storm drains) in the commons area, blockages in which are causing a pond to form in the upper retention area. (See cc of photo attached.)
2. Please note that the drains were transferred to city ownership in 1989 (see deed of transfer cc attached).
3. Liability for such improvements, once accepted for city ownership, resides in the city, even if the city did not build same, cf. *Burford v. Village of LaGrange*, 90 Ill.App.2d 210 (cc attached.).
4. Note that the Plan Commission considered the design for the detention area and the City Engineer had input in the final design, with City maintenance of silt traps expected and intended. (Plan Commission minutes and City Council minutes attached), and that the Plat for what was then Country Ridge Subdivision (now River Oaks) included the storm drains. Plat copies can be provided, which would further document the plat recording shown as city acceptance in the *Burford* case, but the transfer document and

city discussions should be clear evidence of transfer of storm drains to city ownership and responsibility without additional proof.

5. The storm drains belong to the city, and should be maintained by the city to keep the detention area able to take in all storm water and drain to dry storage areas, as originally planned and built. Your assistance in having maintenance done by the city to clear the current blockage would be much appreciated.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'W. Price', written in a cursive style.

William A. Price
Attorney at Law
P.O. Box 1425
Warrenville, IL 60555
Tel/Fax 1-800-630-4780
email: wprice@growthlaw.com