

**NOTE: This document was not found in City files. City staff received a hard copy from Mr. Scoggins on November 15, 2021.**

**CROWDER & SCOGGINS, LTD.**

ATTORNEYS AT LAW

FLOYD E. CROWDER \*  
MARK C. SCOGGINS \*  
MARK S. ROHR  
TIMOTHY A. GUTKNECHT \*  
ANDREA CROWDER KHOURY  
GREGORY J. HICKEL \*  
CLAY B. ST. CLAIR \*

121 WEST LEGION AVENUE  
POST OFFICE BOX 167  
COLUMBIA, ILLINOIS 62236-0167

Lawyers@CrowderScoggins.com

EDGAR O. ZIMMER  
Of Counsel

TELEPHONE  
(618) 281-7111

FACSIMILE  
(618) 281-7115

\* LICENSED IN ILLINOIS & MISSOURI

November 24, 2003

Mr. Tom D. Adams  
321 Wedgewood Square  
Columbia, IL 62236

RE: Brellinger Subdivision

Dear Tom:

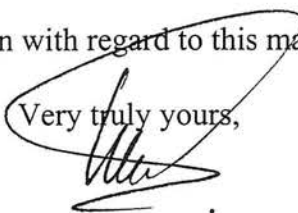
I have spoken to Dennis Brand about the arrangements for Rueck Road which were discussed in the past. Apparently our discussion regarding Rueck Road is as reflected in the "Order of the City Council to Conditionally Approve the Preliminary Plat for the 'Brellinger Subdivision'." Apparently after this Order was entered, the arrangements changed so that there was not going to be a recoupment agreement and Heritage Homes were to build Rueck Road alongside their development. The arrangements that we were going to make in order to guarantee a roadway until the development of that property was the construction of a 22-foot oil and chip surface as set out in Paragraph 3. Our position concerning that matter is that it might be impractical to do that at this point when profiles are already being done right up to the existing roadway to build the permanent roadway.

It would appear to make sense that if Heritage Homes defaults on their agreement, we will go ahead and build the temporary roadway until that property gets developed. Dennis believes that is what Ken is thinking about. That is, there will be a temporary improved roadway until that property gets developed should there be a default. Naturally, if there was a default, this would make sense since the profiles would be irrelevant.

Please let me know if this clarifies your understanding of what the situation is.

Thanking you for your kind attention with regard to this matter, I remain

Very truly yours,



Mark C. Scoggins

MCS:tb/055