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Kevin Callahan
Summit County Public Works Administrator
Summit County Courthouse
60 N. Main
PO Box 128
Coalville, Utah 84017

Dear Mr. Callahan,

Re: Groundwater Drainage in Silver Springs

I have been asked by my client, Silver Springs^{SC} Homeowners Association, to contact you regarding Summit County's having previously indicated that it is not responsible for maintenance of the groundwater drainage system in Silver Springs 1A Subdivision.

This past summer I made a similar inquiry to Mark Offret. A copy of that letter is enclosed. I have not yet received a response, however, I need to clarify that it is the groundwater drainage system and not the storm drains that are of concern. Until this year, the groundwater drainage system was maintained by the County. Although until spring of 2003, there was little maintenance required. Recently, citing the minutes of a July 3, 1979 County Commission meeting, the County has apparently taken the position that it will no longer maintain the groundwater drainage system.

False
assumption
by Smith

I have reviewed the minutes of the July 3, 1979 Summit County Commission Meeting, which were provided to the Association as justification for this position. However, my reading of those minutes does not lead to a conclusion that the homeowners, rather than the County would be responsible for maintenance of the groundwater drainage system. In fact I conclude from those minutes that the County was undertaking responsibility. By not maintaining this system, not only are the homes put at risk, but also the infrastructure i.e. roads utilities etc. that the County is clearly responsible for will eventually be effected. I am writing to request that you provide me with any information or basis the County has for its position that it no longer is responsible to maintain the groundwater drainage system in this and other subdivisions in the Silver Springs area.

I will look forward to your reply. Thank you for you attention to this matter.

Yours truly,
SMITH HARTVIGSEN, PLLC.



J. Craig Smith

cc: Skip Domenick
Robin Bailey
Robert Adkins, Esq.