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RENEE SPOONER
Deputy County Attorney

December 28, 2004

J. Craig Smith
Smith Hartvigsen
215 South State
Suite 650
Salt Lake City, Utah 84111

Re: Groundwater Drainage in Silver Springs

Dear Craig:

Kevin Callahan, the Administrator of Public Works at Summit County, has forwarded to me your letter of December 15, 2004 in which you have requested on behalf of the Silver Springs S.F. HOA that Summit County maintain a groundwater drainage system in Silver Springs 1A Subdivision.

It is the policy of Summit County not to maintain private drainage systems, but only drainage systems that are publicly dedicated and accepted by Summit County. I have reviewed the Silver Springs Plats, recorded on July 16, 1979 and August 6, 1980. The Plats do not purport a specific dedication of groundwater drainage systems to Summit County. Consequently, Summit County is not obligated to maintain such systems. It is my understanding that the County has never maintained those systems. Maintenance is, therefore, the responsibility of the Homeowners Association.

Summit County came to the aid of the Silver Springs^{SE} HOA last spring to help assist it in making repairs. This assistance was done as a courtesy, not due to any obligation.

Sincerely,



David L. Thomas
Chief Civil Deputy

cc: Kevin Callahan