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May 1, 2008

Mr. Steve Lutz
City Manager
City of Powell
47 Hall St.
Powell, OH 43065

Re: Golf Village Pathways

Dear Steve:

Triangle Properties, Inc. (the "Developer") proposes to perform work as depicted on the accompanying exhibits to further facilitate pedestrian access through Golf Village.

The Developer will install the pathways as shown on the plans subject to the following conditions:

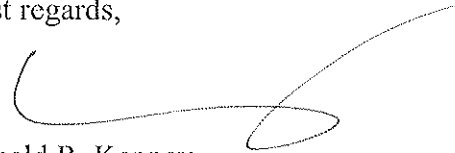
- (1) The City of Powell agrees to provide a letter to the Developer indicating that the city will waive all review fees and inspection fees relating to the work;
- (2) The City of Powell agrees to provide a letter to the Developer granting permission for the work to be performed within the city's right-of-way;
- (3) The City of Powell agrees to provide a letter to the Developer providing unlimited access to the bridge over Sawmill Parkway and three (3) tunnels (two located at Rutherford Road and one at Sawmill Parkway) for the public, Kinsale Golf Course patrons, guests and golf course personnel and;
- (4) The City of Powell agrees to provide a letter to the Developer stating that the attached plans for the pathway improvements are sufficient for construction of the path and no further engineering or registered engineer plans will be required.

This entire agreement is subject to receiving the approvals listed above and an executed proposal from our contractor for the attached improvements at a price not to exceed \$110,000.

Mr. Steve Lutz
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I understand this proposal will be submitted to Powell City Council on Tuesday, May 6, 2008. Please feel free to call me at (614) 540-2414 if you have any questions. Thank you.

Best regards,

A handwritten signature in black ink, consisting of a large, sweeping loop that starts on the left, goes up and over, then down and across to the right, ending with a small flourish.

Donald R. Kenney

Attachments

DRK/alf