



CITY OF TOPEKA

Lisa Robertson, City Attorney

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October 18, 2016

Lauren's Bay Homeowner Association LLC
c/o Kent Manion, President
4401 SW Shenandoah Road
Topeka, KS 66610

Re: Maintenance/South Side of Lauren's Bay Lake

Dear Mr. Manion :

This letter responds to your request, on behalf of the Lauren's Bay Homeowners Association (LB HOA), that the City mow the south side of the large pond in Lauren's Bay near 47th Street. As you may recall, the governing body approved the repair of the pond and dam in 2011; in part, because the two home owners' associations petitioned the City to do so and agreed to be responsible for maintenance of the pond 'and vegetation adjacent to the pond and sidewalks.' (City of Topeka Contract No. 41094)

While the City owns the property, this ownership doesn't absolve the home owners' associations from their legal responsibility to honor the terms of the above-referenced contract. This contract specifically provides that mowing is the joint and several responsibility of both the LB HOA and the Lauren's Bay Estates Subdivision Homeowners Association (Estates HOA) – *not the City*. Accordingly, the City is unable to accommodate your request.

Sincerely,

Lisa Robertson,
City Attorney

cc: Larry Wolgast, Mayor
Elaine Schwartz, District 7 Council Member
Doug Gerber, Interim City Manager
Sasha Haehn, Neighborhood Relations Director
Jason Peek, Public Works Director