



City of Chesapeake

Office of the City Manager
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Via Certified Mail

May 6, 2008

MJM Golf, LLC
824 Lesner Avenue
Norfolk, Virginia 23518

Attn: Mike Waugh

Re: Battlefield Golf Club

Dear Mr. Waugh:

Please find enclosed the following documents relating to the Battlefield Golf Club:

1. Results from most of the private well tests conducted by the City's consultants. The City has not received all of the results at this time.
2. Claims of private well failure received to date from citizens residing in the vicinity of the golf course. Those claims filed for homes within a 2,000 foot radius will trigger Stipulation 10 of the conditional use permit issued for the golf course (UP-01-03). Stipulation 10 requires the owner of the golf course to replace private wells that fail due to contamination or diminution.

As you know, Stipulation 10 sets out a deadline of June 20, 2008, for filing claims of well failure. The City is currently conducting environmental testing and analysis, which may take several weeks, if not months, to complete. Final results may not be issued prior to the June 20th deadline.

Accordingly, on behalf of the affected residents, the City hereby gives notice of claim for each potable well serving a home within a 2,000 foot radius of the outer boundaries of the golf course. In the event that test results show well replacement to be necessary or prudent, the City will expect the owner to honor its obligation to the community.

MJM Golf, LLC
May 6, 2008
Page 2

By copy of this letter and attachments, Dominion Virginia Power, Combustion Products Management, and VFL Technology Corporation are being made aware of the preliminary well test results and allegations of well failure.

Please let me know if you have any questions in the regard.

Sincerely,



William E. Harrell
City Manager

WEH/JKW/RSH/sc

Enclosures

cc: Ronald S. Hallman, City Attorney
Mary Ann Saunders, Assistant to the City Manager
Junius H. Williams, Jr., Managing Director
VA/NC State & Local Affairs, Dominion Virginia Power
Neil Wallace, Combustion Products Management
Michael Robinson, Vice President, VFL Technology Corporation
Maria Nold, Deputy Regional Director, Department of Environmental Quality

Roy Dodds, 2629 Smithson Drive, Chesapeake, VA 23322 (w/o encl.)
Aimee Shirley, 616 Head of River Road, Chesapeake, VA 23322 (w/o encl.)
Scott & Andrea Larson, 1312 Murray Drive, Chesapeake, VA 23322 (w/o encl.)
Richard J. Fagan, 1220 Murray Drive, Chesapeake, VA 23322 (w/o encl.)