

MARVIN R. COOK

ATTORNEY AT LAW

EASTSIDE FINANCIAL CENTER
7701 E. KELLOGG
SUITE 515
WICHITA, KS 67207
(316) 685-6100

FAX: (316) 685-9603

October 16, 1992

Office of Central Inspection
City of Wichita
455 N. Main
11th Floor
Wichita, Kansas 67202

RE: **Melissa & Tony Petcoff, 8111 Cornelison, Wichita, Kansas 67212**
Property Loss and Structural Damage:
Date of Loss: May and September 1992
Builder: Steve Kelly
Developer: Randy Dean
Known Liable Parties: Steve Kelly (Builder), Golf Park West

Dear Sirs:

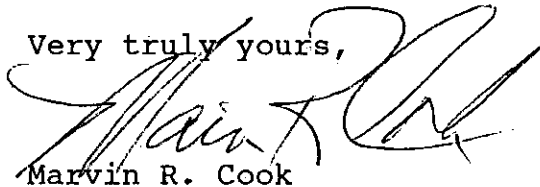
This letter is to advise the City of Wichita that I have been retained on behalf of Tony and Melissa Petcoff to represent their interests with regard to structural and property damages sustained by them in the storms of May and September 1992. In those storms, water accumulating on Golf Park West's property drained into the Petcoffs' residential area, and specifically onto their property. This water drainage caused severe and substantial damage to the Petcoffs' property and possessions. The builder, Steve Kelly, had contracted to have certain specific work completed on the outside of the structure, including back fill and packing, as well as the digging and placement of connections from the City main and other drainage outlets to the structure itself.

It is our understanding that there has long been a drainage problem created by Golf Park West, and that this problem has affected the entire residential area to the east of the Golf Park West property. We understand that other structures in that residential area have been damaged previously. We have already spoken to several other area property owners who have experienced property damage and loss as a result of the improper drainage initiating at the Golf Park West property. We have been in contact with Mr. Kelly's insurance adjuster, as we have made a claim against him. We also have corresponded to Golf Park West, informing them of our intent to take necessary and appropriate legal action if a resolution of this problem can not be achieved.

As our investigation continues, and if suit becomes necessary, we will be contacting you to find out if the City has some share in the liability for these problems, and more specifically to see if the builder and developer of both this residential development and of Golf Park West complied with City zoning and platting guidelines and restrictions.

There is one thing of which all parties involved can be sure, this problem will not simply go away, and even if the Petcoffs structural damage is repaired and the property loss is compensated, something must be done to prevent this from occurring in the future. Based on initial impressions, that something will cost ten of thousands of dollars, if not more, to prevent the Petcoffs and others from being the victims once again of water damage as a result of the failure to properly comply with zoning and platting guidelines and/or to protect others from known problems. If you have any questions regarding this issue, please feel free to contact me at your earliest convenience.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Marvin R. Cook".

Marvin R. Cook

MRC:mlk

cc: Tony & Melissa Petcoff