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AVONDALE ESTATES, GEORGIA 30002

August 17, 2004

Via Facsimile: 404-377-5776

Mayor Jerry McCumber
City of Avondale Estates

Re: Old Rockbridge Rd. - Miscellaneous Issues

Dear Jerry:

As always, thanks for taking the time to speak with me last week. I can't tell you how much I appreciate your willingness to ensure that the developer of Windsor Close adheres to the conditions he agreed to earlier this year in order to retain the right to develop the site with 14 homes.

I continue to be concerned about the amount of garbage and tires that remain strewn about the north-western corner of the site and the area adjoining it next to the bike path entrance. (I am also upset with the state of the land across the street from the development, but that is an issue to be taken up with the County.) Is there anything that you can do to get this mess cleaned up to some degree?

Speaking of the bike path, enclosed is a February, 2003, memo to Beth Hoffman from Shannon Kettering, a landscaper who was working for PATH when the bike path was constructed between Old Rockbridge and North Clarendon. Beth knows that I am sharing this memo with you and you are welcome to contact her about its contents.

A little background is needed to set this issue in perspective. The relationship between the City and PATH did not get off to a good start. A while back, the City planted maple trees all along the eastern side of North Clarendon, starting from a bit past Arborguard down to the house at the southeastern corner of Old Rockbridge. About 10 of these maples were removed and literally thrown to the side of the road when the PATH built a narrow bike path on that side of the street. Phoebe can verify this. Only after the city literally pitched a fit were the salvageable trees replaced; however, there was no room for any trees to be planted across the bridge.

I had also previously had some problems with PATH when they

in the area in 2003, I was very wary. Accordingly, I contacted Ed McBrayer (404-875-7284,) about the plans for the area and expressed concern about maple trees on the west side of North Clarendon and trees along Old Rockbridge. An agreement was made by Ed to meet with me on a Tuesday early last year to show me what trees were slated for destruction, with his assurances given that nothing would be done until we met. Several days after he made his promise, however, on the Friday prior to our scheduled meeting, eleven medium-sized trees were destroyed along the southern edge of Old Rockbridge. I was furious, and, of course, took pictures and measurements of the stumps. Those pictures and measurements (I placed rulers and pads on the stumps,) were concrete proof that the trees were not, as Mr. McBrayer assured me after the fact, "just 4" inch trees."

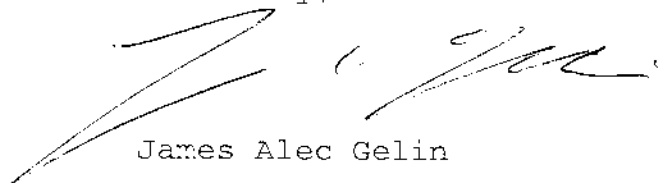
Eventually, my fury lead to a meeting with several Avondale and PATH officials, at which PATH agreed to relocate/replace the North Clarendon maples (two have since died) and also to replant the Old Rockbridge section as indicated in the memo. Note that four oak trees were to be planted between Old Rockbridge and North Clarendon.

Not surprisingly, only one oak was planted, and that died last fall. It was replaced by a tree that appears to be a Chinese Pistache, not a bad tree, but not an oak just the same. To make matters worse, as construction wore on at the site, I expressed concerns to Beth and PATH that PATH was cutting too close to a large post oak to the east and just past the Old Rockbridge entrance to the new portion of the bike path. That tree barely leafed out this year, and now it is dead. Prior to construction, with the exception of one dead lower branch, the tree was in good health.

I believe that PATH should be responsible for removing this tree. There is no doubt that they killed it. In addition, the tree should be replaced with four 3" caliper oak tree (not pin or willow). Moreover, I feel that PATH should also plant the originally promised four 3" caliper oak trees between Old Rockbridge and North Clarendon. If they are not sure where to put these eight oaks, I will be glad to assist.

Of course, if you have any questions about the issues raised in this letter, please do not hesitate to contact me. I would also welcome the opportunity to meet with you on site. Thanks again for your time.

Sincerely,



James Alec Gelin