

JAMES ALEC GELIN  
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AVONDALE ESTATES, GEORGIA 30002

June 22, 2007

Via Facsimile: 404-875-3242

Mr. Pete Pellegrini  
PATH Foundation

Re: More Oak Trees Killed by PATH Construction; Continued  
Noise Problems

Dear Pete:

On April 18, 2003, I faxed you a letter outlining several grievances that I had with your organization. In that letter, I wrote as follows:

"Another problem that I foresee in the future involves the two very large oak trees that had a significant portion of their root system destroyed when the path was constructed west of Laredo along the railroad tracks. I can't believe what PATH did to those trees and will be amazed if they survive."

On December 13, 2004, I faxed another letter discussing further problems with The PATH Foundation, and again addressed issues relating to the two large oaks off Laredo:

"The final issue that I wanted to address concerns two large oak trees near my home. You may recall that I wrote the following in my letter of April 18, 2003:  
"Another problem that I foresee in the future involves the two very large oak trees that had a significant portion of their root system destroyed when the path was constructed west of Laredo along the railroad tracks. I can't believe what PATH did to those trees and will be amazed if they survive." For your information, half of the canopy of these trees was dead by mid-summer. I urge you to please contact Arborguard to see what can be done to save these trees if they manage to leaf out this spring.

The only response that I received from you was that attempts were made to save the trees during construction. Well, I am

writing today to inform you that the trees in question are now dead. The PATH Foundation is directly responsible for this, and, accordingly, is now responsible for their removal. In addition, my neighborhood needs to be compensated for their loss. Using the DeKalb County Tree Ordinance as a guideline, you owe my neighborhood "X" inches of new trees, with "X" being the diameter at breast height of both oaks combined. I believe that a County arborist should make the determination as to "X."

The new trees should be planted with appropriate spacing (your landscapers seem to be planting trees far too close to each other,) in areas where they are not growing under power lines. Moreover, established trees of any size should not be removed to make way for the trees you are planting, a frequent problem in the past.

Your organization has not honored commitments made to Avondale Estates about replacing trees removed and killed during previous PATH construction. The PATH Foundation has not compensated my neighborhood for the giant Post Oak that was killed during PATH construction south of Old Rockbridge, although it did, finally, remove it. The City of Avondale attempted to cajole you into "stepping up to the plate," so to speak, on these issues, via a letter to you dated January 10, 2005 written by its then City Manager. Ed McBrayer responded with typical arrogance via a letter dated January 20, 2005, that he believed the City to be "out of bounds punishing us for damaging a few trees." According to Ed, we are evidently all supposed to bow down to his organization in gratitude for deeming us worthy of getting the PATH slammed through our neighborhood in several directions, despite the accompanying tree destruction.

In an attempt to get you to take responsibility for destroying the two trees in question that are in unincorporated DeKalb County, copies of this letter are being sent to my County commissioners. Per Commissioner Gannon's request, I have provided her today with pictures of the dead trees and copies of all of the letters referred to herein. Hopefully, the County won't be intimidated into letting this go as easily as the City of Avondale Estates was.

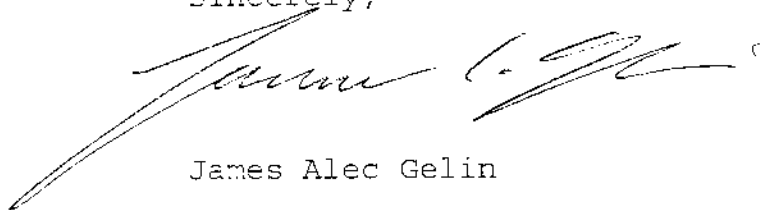
On another note, noise problems from the PATH constructed opposite my home that I have complained about to you since 1996 remain a problem and are worse than ever. There are very few places on the PATH, if any, where the PATH runs so close to some homes without any noise or privacy buffer whatsoever. My bedroom windows are about 70 feet from the PATH, and I can't even sleep in on the weekends with a window open without hearing cyclists yelling back and forth to each other all morning. I really miss the privacy and quiet that I had the first two years that I owned

my home from '94 - '96. Need I remind you that the PATH was constructed 20 feet closer to my home than I was told by you it would be?

I am therefore renewing my request for The PATH Foundation to place two signs along the PATH asking PATH users to be considerate of the people that live in the neighborhood. "Quiet Please," should do the trick. One sign should be located south of First Ave. and Chestnut, and the other should be placed on the PATH as it emerges from the wooded area before going by the church.

Pete, in the past, we have been able to resolve some issues together that have come up. Let's see if we can work together to find a way to solve these problems as well.

Sincerely,

A handwritten signature in black ink, appearing to read "James Alec Gelin". The signature is fluid and cursive, with a long, sweeping underline that extends to the left.

James Alec Gelin

cc: Commissioner Kathie Gannon  
Commissioner Burrell Ellis  
Nina A. Hall, Special Asst. to  
Commissioner Ellis