

STEVE,

I have enclosed the e-mails between my daughter Jackie Sullivan and George Barr, regarding retaining wall, fence stability & replacement fence. Her immediate concern is the instability of the existing fence with the absence of a retaining wall that needs to be 6' tall versus the existing 3' wall. George has promised Jackie a new fence on the property line which she could tie into.

Thanks

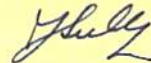


Jim Sullivan  
1863 Duck Pond  
W. St. Paul MN 55118  
612-0451-06339

I HAVE INCLUDED

SOME PHOTOS

SHOWING WHAT  
A MESS it is at  
778 S. Smith



MCMSI will supply temporary stable fencing that Jackie Sullivan's pet dogs (a Golden Retriever and a mixed breed of similar size) cannot jump over or go under/around/through at any time, and will still allow access for home owner in and out of yard as it is now. Said temporary fencing will be in place immediately upon any damage/instability occurring.

When I met George we casually discussed the possibility of MCMSI using "some" water. The use of electricity was not discussed and I cannot supply it. Sorry about that. In order to agree to the use of water from my home, I'll need an estimate of when it will be used, for how long, and approximately how much will be used. When I receive that information I will determine an amount of deposit I'll need to cover the excess in my water billing during the time of use.

Please note that I'm extremely hesitant about a commercial business coming on my property and using my utilities. It opens a door to liability that makes me uncomfortable. If MCMSI and I agree that they will use my water supply, they will be held solely responsible for any damage occurring to property during time of use.

Thank you,  
Jackie Sullivan  
786 Smith Ave. S.  
St. Paul, MN 55107

From: GSBARR777@aol.com [mailto:GSBARR777@aol.com]  
Sent: Tuesday, April 06, 2010 2:06 PM  
To: jackiesaddress@comcast.net  
Subject: Letter from George Barr - constructing deli next door

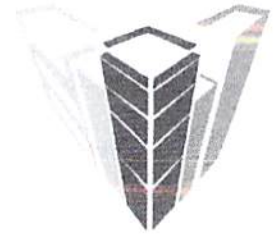
Jackie,

Attached please find the letter we discussed. Please call if questions.

George Barr  
Minnesota Construction Management Services, Inc.  
Full Service Construction Managers  
Commercial Construction  
763-551-5973 (Office)  
763-355-0322 (Cell)  
[MCMS777@aol.com](mailto:MCMS777@aol.com)  
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35 Years of experience



**Minnesota Construction Management Services, Inc.**  
Commercial Contracting Services  
Project Management, Design Build, Estimating,  
Budgeting, Concrete & Masonry Services  
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April 6, 2010

*Retaining Wall?*

Jackie Sullivan  
786 Smith Ave. S.  
St. Paul, MN 55107

Dear Jackie

I have incorporated the language you used in your e-mail with some changes, if this makes our understanding easier.

1) If the existing fencing, located at 786 S. Smith Ave., St. Paul, MN, is damaged in any way, MCMSI will replace it in a timely manner and be responsible for any and all labor/material costs. Materials to be similar to what is presently installed or an acceptable substitute agreed to by Ms. Sullivan and replacement installation to be performed as soon as grade is brought to permanent condition. All work to be done by MCMSI contractors or its own carpenters.

2) If damage of fencing or instability of same occurs during the construction process, MCMSI will supply temporary stable fencing that Jackie Sullivan's pet dogs (a Golden Retriever and a mixed breed of similar size) cannot jump over or go under/around/through at any time, and will still allow access for home owner in and out of yard as it is now. Said temporary fencing will be in place immediately upon any damage/instability occurring.

3) If you feel uncomfortable in regards to water usage or electrical usage, we will not put you in that position. We want this building process to be painless for you and your pets. We can bring water in and have a generator on site until our temporary power is installed.

Minnesota Construction Management services, Inc.

George S. Barr

Project Manager