

"EXHIBIT C"

As to the Property known as 9 Barbs Hill (Ledgemere); while we have provided to town officials copies of deeds which show proof of uninterrupted ownership of said property for over one hundred years and as shown being described in the deed of Charles A. Poole as subsequently included in a living will also recorded in the Town of Foster Records; We have not found nor been provided with any evidence wherein even one (1) inch of property was given any individual by legal purchase or transfer outside of said Charles A. Poole's family. There may have been actions by individuals directing, acting alone or in concert with others, such as service of the town but, no record of proper action impacting on the property is found in Town Records.

Perhaps an official offered some assistance outside of the owner's knowledge. As there is an easement for the power lines perhaps that was what caused the town to commence voluntary service on the pathway. But, at no time has there been any offer or acceptance of the transfer of ownership. In the past the town has attempted to develop maps showing plats recorded by town officials, but the failure to abide by recorded deeds is not the fault of property owners. But, overtime such incorrect map description may result in an unlawful taking as well as excessive tax collection if not corrected pursuant to legal deeds as recorded.

I have provided an offer to continue a "limited right of passage" through our property, it was given to the President of the Town Council. But, I do not want an excessive expansion of what Charles A. Poole allowed in the past. While individuals can access Potter Road as an alternative route some have now demanded that the town expand their ability to utilize our property beyond the voluntary use previously extended. That is not what Mr. Lewis originally requested in his memo of 8/7/15 as attached.

It would appear that a reasonable alternative for the town would be to purchase a right of way across property located near or at the top of Barbs Hill to connect to Plainfield Pike. This would avoid both the wetlands issue that exists on our property (Culvert and pipe as installed by DEM for Charles Poole) as well as the ledge issue that creates a problem to those now seeking to expand the pathway around the curve in front of our home for their needs.

If such concerns were valid, the alternative route would appear to best serve such increased traffic needs. Such action would also avoid potential legal cost to the town for the improper taking of land of which the Town is on notice. We have extended the use of the "former allowance" as to the width of the path prior to September 24<sup>th</sup> 2015. It is the Town's decision.