

MEMORANDUM



Date: February 11, 2014
To: Kevin R. Donovan, Chief Executive Officer
From: James G. Young, Project Manager

Re: Construction and Acceptance of LNR-Constructed
Ways at SouthField - Status as of January 1, 2014

Phase 1A Design & Construction

SSTTDC retained the services of the Town of Weymouth to assist us with the review and approval of the design and construction of the initial roadways and associated utilities installed by LNR during Phase 1A, namely Memorial Grove Avenue (MGA), Parkview Street, Thistle Lane, Privet Path, Stonehaven Drive and the northern section of Snow Bird Avenue. The Town of Weymouth was reimbursed for all of the services outlined above in accordance with a billing arrangement that had been agreed to between Mayor Madden and SSTTDC.

Prior to the construction of ways, preliminary and definitive subdivision plans are required to be submitted to SSTTDC for review and approval, in accordance with the Subdivision Rules and Regulations for NAS South Weymouth. The subdivision plans shall include the designs for the proposed roadways and associated utilities. The Town of Weymouth conducted a technical review of LNR's Phase 1A Preliminary Subdivision Plan – comments from the Planning Department and DPW were provided to SSTTDC in November 2006.

The Town of Weymouth then conducted a technical review of LNR's Phase 1A Definitive Subdivision Plans (DSP) – comments from the Planning Department were provided to SSTTDC in February 2007 and comments from DPW were provided to SSTTDC in February and March 2007.

All review comments were addressed, and the 4/6/07 revision to the Phase 1A DSP was subsequently approved by SSTTDC.

SSTTDC has approved several substantial revisions to the 4/6/07 DSP – adding additional roadways/utilities to the network. All design revisions relating to the roadways noted above were reviewed by the Town of Weymouth on SSTTDC's behalf.

During construction, the Town of Weymouth provided inspectional services. Inspectors from the Weymouth DPW provided daily inspectional services. The DPW inspectors were tasked with ensuring that all work conformed to the approved DSP and the Subdivision Rules and

Regulations for NAS South Weymouth. Inspectors from the Weymouth Building and Health Departments also provided periodic inspectional services as needed.

During construction, LNR submitted several requests for field design changes – mainly consisting of revisions to the locations of various utility systems as a result of design revisions provided by the private utility companies (National Grid/Comcast/Verizon) after construction activities began. Proposed field design changes were reviewed and approved by the Town of Weymouth DPW on SSTTDC's behalf.

At the end of construction activities, the Town of Weymouth DPW issued construction punch lists, which were then forwarded to LNR for resolution in advance of any formal street acceptance process conducted by SSTTDC.

Street Acceptance

SSTTDC formally accepted Shea Drive and Memorial Grove Avenue in August of 2010 (Shea Drive had been reconstructed by LNR prior to the Phase 1A DSP process). The acceptance process was conducted in accordance with Section 6.4.3 of the General Municipal Codes for NAS South Weymouth (GMC). Section 6.4.3 of the GMC had been modeled after the Town of Weymouth's procedures for acceptance of ways, and provides for a very thorough acceptance process.

As of January 1, 2014 approximately 1.26 miles of roadways constructed by LNR are public, and are owned and maintained by SSTTDC:

- Shea Drive (Route 18 to Memorial Grove Avenue) - 2,588 feet
- Memorial Grove Avenue - 4,054 feet

As of January 1, 2014 approximately 0.79 miles of roadways constructed by LNR are private, and are owned and maintained by LNR:

- Parkview Street – 1,267 feet
- Thistle Lane – 225 feet
- Privet Path – 225 feet
- Stonehaven Drive – 756 feet
- Snow Bird Avenue – 1,366 feet
- Skye Lane – 340 feet

Securities

On September 18, 2012, SSTITDC (upon request by LNR) generated an updated punch list of deficiencies found on the private roadways listed above. Deficiencies generally included work that had not been completed yet (i.e. Skye Lane), work that was performed at risk and may need to be removed at later date (i.e. eastern utility stubs/services in Snow Bird Avenue) or damage which had occurred after completion of construction activities. The SSTITDC punch list dated 9/18/12 was used to prepare an estimated cost to complete of \$881,856.00. The estimated cost to complete was vetted with and approved by LNR. Subsequently, SSTITDC's Applicable Subdivision Board, acting in accordance with the Subdivision Rules and Regulations for NAS South Weymouth, approved a Performance Bond in the amount of \$881,856.00. (Note that the remaining construction work was previously secured by various parcels of land owned by LNR, as provided for in various Covenants on record).

Additionally, as of January 1, 2014, LNR is currently constructing the southernmost section of Snow Bird Avenue (a 295-foot long section of roadway connecting Parkview Street to Trotter Road). The security for that work is tied to an adjacent 13.47-acre parcel owned by LNR, whereby LNR cannot sell said parcel or build upon said parcel until such time as SSTITDC, acting as the Applicable Subdivision Board releases said parcel from the Covenant that is on record.