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July 19, 2007

CERTIFIED MAIL RETURN RECEIPT

Receipt # 7004 2510 0007 3039 7228

Lewis Family Farm, Inc.
1212 Whallon's Bay Road
Essex, NY 12936

**NOTICE OF FAILURE TO OBTAIN THE NECESSARY PERMITS PRIOR
TO CONNECTING FARM ROADS TO TOWN HIGHWAYS AND NOTICE
PURSUANT TO HIGHWAY LAW §319 FOR VIOLATIONS THEREOF.**

GENTLEMEN:

I am a duly appointed Special Counsel to the Town of Essex in connection with matters relating to the above.

Clark Road and Cross Road in the Town of Essex are public highways that lie in part on lands owned by Lewis Family Farm, Inc. Highway Law, §189, provides that all lands used and maintained by the public as a highway for at least ten years shall be a public highway with the same effect as if laid out and recorded as such. In this case, Clark Road and Cross Road have also been laid out and recorded as public highways by the Town of Essex. Thus, Clark Road and Cross Road are parts of the Town Highway System.

Town officials have brought to my attention that you have made several driveway and/or access connections to Clark Road and/or Cross Road without obtaining permits therefor that are required under the Town of Essex Roadway and Driveway Standards, Section 3.5. Thus, you are in violation of the Town of Essex Roadway and Driveway Standards.

You are hereby placed on Notice that you must apply for such permits within ten(10) days of the date of this Notice. The driveways and/or access connections that conform to the Town of Essex Roadway and Driveway Standards will be granted permits.


Those driveways and/or access connections that do not meet the Town of Essex Roadway and Driveway Standards will be denied permits. **Notice pursuant to Highway Law §319 is also given to you that you are obligated by law to remove such driveways and/or access connections.** Therefore, any such nonconforming driveways and/or access connections must be immediately removed.

In addition, please be informed that the Town Highway Department intends to perform ditching along Clark Road this summer. If any nonconforming driveway and/or access connection impedes such ditching work, such driveway and/or access connection will be removed by the Town and you will be charged the costs and expenses for the removal thereof.

Further, the Town reserves its right to remove any nonconforming driveway and/or access connection after 48 hours from the time of receipt of this Notice and charge you the costs and expenses for the removal thereof.

YOUR FAILURE TO COMPLY WITH THE ABOVE NOTICE MAY RESULT IN PROSECUTION UNDER TOWN LAW, SECTION 135 FOR EACH AND EVERY VIOLATION.

Very truly yours,



DARRELL W. HARP
Special Counsel to the
Town of Essex