

BASELINE DOCUMENTATION REPORT

**FOR
LAKE FOREST ESTATES
MACEDONIA, OHIO**

SUMMIT COUNTY, OHIO

**September 15, 2006
January 5, 2007**

Prepared for:

Lake Forest Estates Homeowner's Association, Inc.
c/o TransCon Builders, Inc./PFR Land Company
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INTRODUCTION

In 2000, TransCon Builders, Inc./PFR Land Co. proposed construction of a residential conservation development, Lake Forest Estates Subdivision (“Subdivision”), located in Macedonia, Ohio, Summit County. Situated off East Valley View Road, this development is approximately one hundred-eight (108) acres in total area with dedicated green space totaling twenty-seven (27) acres.

Approximately one hundred seventy-one (171) dwelling units are proposed to be constructed within the Development, ultimately impacting approximately 1853 linear feet of stream and riparian corridor and 1 acre of wetland, affecting the tributaries of the Cuyahoga River.

In order to proceed with the Development, approval was required and obtained in November 2000 from the Ohio Environmental Protection Agency and the U.S. Army Corps of Engineers to culvert or fill the impacted streams and wetlands.

Ohio Stream Preservation, Inc. (“OSP”) was asked to consider a third-party stewardship role by accepting a conservation easement over the 27-acre Preserve. In August 2000, OSP provided a written stewardship agreement to TransCon Builders, Inc./PFR Land Co. to serve as the conservator of the Preserve areas. TransCon Builders, Inc./PFR Land Co. and OSP reached an agreement for these services on November 2, 2000.

OSP prepared the Grant of Conservation Easement, conducted several site visits and co-authored several legal documents, including the Declaration of Covenants, Conditions, Restrictions and Easements for Lake Forest Estates Subdivision, recorded on November 22, 2000 with the Summit County auditor. The Conservation Easement was recorded with the Summit County Recorder’s office on November 27, 2000. This Baseline Documentation Report shall be recorded as part of the original Conservation Easement.

MONITORING RESULTS

As part of OSP's stewardship functions, a site visit to the Preserve was conducted on September 15, 2006 and completed January 5, 2007. Digital photographs were taken and summary observations were made at these visits. This Baseline Documentation Report (referenced in the Conservation Easement) characterizes the Preserve as an objective baseline for monitoring compliance according to the terms of the grant.

OSP followed staked boundaries of the Preserve where provided in order to achieve this Baseline Documentation Report. Where staking was absent, assumptions were made to location and potential limits of clearing. As sublots within the Development are platted and developed, permanent corners will be provided, indicating the actual location of the easement boundary.

Photographs of the Preserve reflect the relationship of the Preserve to the sublots that surround the Preserve. Sublots under construction and erosion control measures along the Preserve area boundaries are utilized to provide visual cues to limits of disturbance.

A walk along the CE boundary was conducted along Whispering Woods Drive north of Prairie Crossing to look for any encroachments and view OSP signs. No encroachments were observed as well as no construction at this point in time.

Stakes should be placed along the CE facing East Valley View Road to denote its boundaries. This edge of the easement consists of thick shrubs that are not conducive to OSP signs. The CE boundary should be staked behind the house on S/L 22 since significant encroachment has occurred here and no trees are available to attach an OSP sign to.

Poison ivy has taken over trees along the CE boundary behind S/L 21 and 22. Mounted OSP signs could not be observed, so the existing tree line was used as a visual boundary to place new signs.

Portions of the CE between Valley View Road and the homes on Pond Brook Lane have been encroached upon. Behind S/L 116 are mounds of grass clippings and a mowed

area within the CE (see photo 1). CE at the back edge of S/L 118 has woody debris (see photo 3). Cut vegetation was observed behind the model home on S/L 114 (see photo 5). The natural area of the CE on the back edge of S/L 1 is gone and has been replaced with an entrance garden area leading into the development (see photo 6).

There are several properties encroaching the CE located off the southeast corner of River Run Drive. S/L 21 off Dresser Lane has a small garden that appears to encroach the CE (see photo 9). A small pond in what is understood to be CE on S/L 22 (no OSP signs or stakes were observed) has been dug and actively holds water (see photo 14). A drainage pipe from S/L 22 empties into another depression, which is separated from the pond by a small berm (see photos 15-17). Fill from the pond has been placed along one of its banks (see photo 18). S/L 23 off Regal Ridge Circle has a path leading into the CE that ends at a fire pit (see photo 22). Woody debris is also located within the CE boundaries on S/L 23.

The graded slopes behind S/Ls 51-62 on River Run Drive are extremely steep (see photos 27-29). This not only made it difficult to walk along the steep hills incorporating the backyards of these lots, but raises concern of excess runoff flowing into the CE. S/L 52 has a swing set that encroaches the CE (see photo 27). S/L 54 has mowed grass, grass clippings, a swing set, children's toys, and a bench at least 50 feet into the CE that abut the stream (see photos 29 and 30). S/L 59 has a cleared path leading to the stream within the CE (see photo 31). The model home on S/L 62 has fill and debris along the back slope leading into the CE (see photo 32). Construction from S/L 121 on Whispering Woods Drive is allowing silt to flow into the stream within the CE on the SW corner of the property (see photo 38).

My January visit consisted of monitoring the CE located between Prairie Crossing, River Run Drive, and the smaller of the two detention basins. Some of the homes on River Run Drive did not have OSP signs to demarcate the location of the CE on their properties, so a best estimate of the CE boundary was utilized using property stakes and signs that could be found. Based on these estimates, many encroachments were observed.

S/Ls 37, 38, 40, and 41 appear to have encroachments via swing sets and mowed grass

(see photos 41-44). A newly built red shed on S/L 42 looks to be encroaching as well, but it is difficult to tell since the CE bows south into the useable property and then turns north again (see photos 44-45). A picnic table and fire pit are located next to the stream within the CE on S/L 43 (see photo 46). S/L 44 is undergoing construction of an outdoor patio (see photos 47 and 49). The patio itself may not be encroaching, but the material for it is. Hundreds of pavers are laid out within the CE (see photos 48 and 50). These pavers will prohibit the growth of vegetation this summer in the CE if they are to remain there for an extended period.

A previous visit to S/L 102 had been prompted by the homeowner due to storm damage and fallen trees. She had requested permission to chop the wood of the fallen trees to neaten up the area as well as cut down one tree that could fall on her house if it were to succumb to the same fate as the other fallen trees. This visit showed the tree had been taken down and chopped wood was left in the CE as requested for habitat (see photos 64-65). There is new landscaping directly behind the house that has left muddy residue along the CE boundary (see photos 61-62).

A closer look at the stream within the CE revealed fast flowing water, partially due to the recent rain we have had, with many meandering curves (see photos 53, 66, 69, 70). Several wetland areas with skunk cabbage were viewed along the SW portion of the CE located between River Run Drive and the cul-de-sac of Brook Circle (see photo 60). The wetland seen in photo 60 has a culvert on the south end which drains into the stream. Ponding is evident along the stream's floodplain (see photos 54 and 66).

An inventory of sublots with and without construction was conducted to come up with the following list:

Phase 3:

Lots Without Construction: 92, 97, 98, 100, 106, 119, 120, 110, 113, 126

Lots Under Construction: 91, 121, 122

Phase 4:

Lots Without Construction: 131, 132, 135-154, 156-159, 161-171

Lots Under Construction: 134, 155, 160

APPENDIX A

**PHOTO SAMPLING POINTS
and EASEMENT AREA MAP**

**FOR
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APPENDIX B

PHOTO JOURNAL

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Photo 1: View SW from SL 116 into CE.



Photo 2: View SE along CEB, CE to right, from SL 118.



Photo 3: View S into CE at corner of whispering Woods Drive and Valley View.



Photo 4: View SE along CEB and Valley View Rd.

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Photo 5: View NE into CE, to model home on SL 114 from Valley View.



Photo 6: View SE, CE to left, Valley View to right to River Run.



Photo 7: NW along CE to left, on SL 112.



Photo 8: NE along CE to right, River Run to left.



Photo 9: NE into CE from SL 21.



Photo 10: N along CE to right on SL 21.



Photo 11: S along CE to left, SL 22 to right.



Photo 12: N along CE to right with debris, SL 22 to left.



Photo 13: S along CE to left with debris, SL 22 to right.



Photo 14: E to dug out pond in CE, behind SL 22.



Photo 15: Dug out pond with berm and drainage basin in CE off SL 22.



Photo 16: Drainage from SL 22 into drainage basin in CE.



Photo 17: Drainage basin in CE from SL 22.



Photo 18: Fill from dug out pond along its edge in CE, off SL 22.



Photo 19: W along CE
to right.

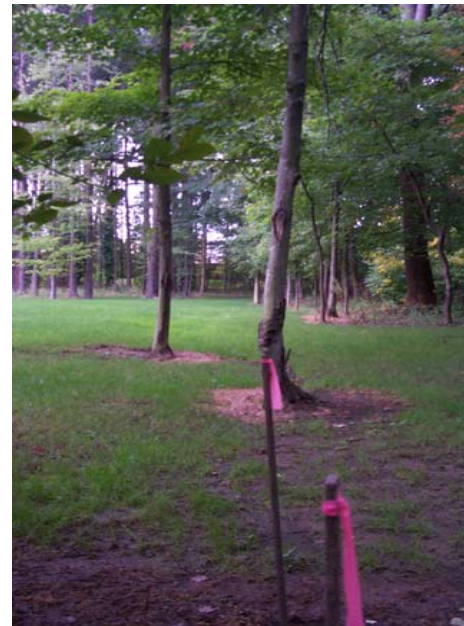


Photo 20: E along CE
to right behind SL 27.



Photo 21: W into CE from SL 24.



Photo 22: SW into CE at fire pit and debris from SL 23.



Photo 23: Damaged sign on SL 23.



Photo 24: NE along CE to right to SL 23.



Photo 25: ESE along CE to right, SL 23 to left.



Photo 26: S to Prairie Crossing along CE to right, SL 161 to left.



Photo 27: SSE along CE to right, SL 52 to right, swingset in CE.



Photo 28: SW to CE off SL 52, pipe and steep grade into CE.



Photo 29: NNW along CE to left, SL 54 to right, encroachment.



Photo 30: W into CE from SL 54 to encroaching bench on stream.



Photo 31: W into CE from River Run, SL 59 to left.



Photo 32: NW along CE to left, fill flowing into CE from model on SL 62 to right.

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Photo 33: NW along CE to left, SL 123 to right.



Photo 34: SW along CE to right, Whispering Woods to left.



Photo 35: SE along CE to left, SL 122 to right.



Photo 36: WSW along CE to right, Whispering Woods to left.



Photo 37: NW along CE to left, SL 121 to right.



Photo 38: W to CE from Whispering Woods.



Photo 39: NE along CE to left, Whispering Woods to right.



Photo 40: NE along CE to left, SL 119 to right.



Photo 41: View SSW from SL 37 to SL 38, encroached CE.



Photo 42: View NE along CE on SL 39.



Photo 43: View NE of encroaching landscaping on SL 40.



Photo 44: View SW of encroachment in SL 41. Tree to left in background has OSP sign. CE to right of it.



Photo 45: View SW along CE on SL 42.



Photo 46: View NW of picnic table and fire pit with stream behind on CE on SL 43.



Photo 47: View SW along CE on SL 44 of patio construction.



Photo 48: View W within CE on SL 44 of pavers.



Photo 49: View SW along CE boundary and patio construction on SL 44.



Photo 50: View NW into CE on SL 44 of pavers.



Photo 51: View NE along CE on SL 45.



Photo 52: View NE along CE on SL 46.



Photo 53: View SW along CE on SL 47 where it crosses the stream.



Photo 54: View E within CE on SL 47. Floodplain of stream with skunk cabbage and thick shrubs.



Photo 55: View NW along CE on SL 47. CE to right.



Photo 56: View SE along CE on SL 47 to where stream flows into detention basin. CE to left.



Photo 57: View SW into detention basin outside of CE with my back to SL 104.



Photo 58: View SW along CE on SL 104.



Photo 59: View NE along CE on SL 103.



Photo 60: View SW into CE on SL 103 of wetland area with skunk cabbage.



Photo 61: View N along CE on SL 102. New landscaping.



Photo 62: View ENE along CE on SL 102. Muddy residue from landscaping.



Photo 63: View SE into CE on SL 102.



Photo 64: View NW at chopped logs in CE on SL 102.



Photo 65: View NW from CE on SL 102.



Photo 66: View S within CE on SL 102 of stream.



Photo 67: View S into and along CE from SL 166 to SL 102.



Photo 68: View S along CE on SL 166 to SL 102.



Photo 69: View S of stream in CE on SL 166.



Photo 70: View W to stream in CE on SL 166.



Photo 71: View N along CE to right and SL 165 to left.



Photo 72: View from SL 165 NE to confluence of streams in CE.