

Kristin Camp

From: Kristin Camp
Sent: Sunday, June 13, 2021 4:31 PM
To: rsmith@eastgoshen.org (rsmith@eastgoshen.org); Mark Gordon; Marty Shane; Mike Lynch; David Shuey; John Hertzog; Michele Truitt
Cc: Michael Gill
Subject: Communications with the Hicks
Attachments: 20210613164300427.pdf

Good afternoon. I received a copy of the letter that Linda Hicks wrote to the Board concerning the negotiations with her family for the Paoli Pike trail easements. I want to be clear that I do not view any of the actions that me or any of the Township staff I have worked with on this matter could be characterized as bullying. Quite to the contrary, we have been very professional and respectful with all of the Hicks family members and their counsel throughout the entire negotiation process which commenced in November of 2020. I've attached to this email a summary of the dates of formal communications and many of my emails with Mr. Brooman which started in November of 2020. I also point out that the majority of the requests/demands that the Hicks made, the Township has agreed to. The fact of the matter is at some point the property owners need to make a decision whether they're willing to grant the easements or not. I did make that point clear to Mr. Brooman.

It is a policy decision that the Board has to make as to what you do from here but I don't believe that anything that the Township has done constitutes "bullying" or not acting in good faith.

I will be at the executive session at 6PM on Tuesday but if you have questions prior to that evening, please let me know.

-----Original Message-----

From: Prolaw <prolaw@buckleyllp.com>
Sent: Sunday, June 13, 2021 4:43 PM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: Message from "4TH-FLOOR-COPIER"

This E-mail was sent from "4TH-FLOOR-COPIER" (MP C6503).

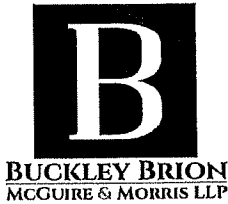
Scan Date: 06.13.2021 16:43:00 (-0400)

Queries to: prolaw@buckleyllp.com

Communications with Peter and Phillip Hicks and William Hicks

Parcels 53-3-1.8 and 53-3-1.9

- January 2, 2019 Section 309 Notification for Survey
- September 10, 2020 Letter Requesting Grant of Easements(area of requested easements has not changed since this initial email and plans being sent)
- November 2, 2020 Follow-up Letter on easement request
- November 17, 2020 Township solicitor starts to initiate communication with Hicks' lawyer David Brooman
- Nov 2020- June 2021 continued email communication and phone calls between KSC and David Brooman (Twp agreed to majority of the Hicks' requests)
- February 25, 2021 – Site visit with members of family
- March 22, 2021 Draft Letter Addendum with Attachments sent to Hicks' counsel
- May 13, 2021 2nd site visit
- May 25, 2021 3rd site visit with Mark Gordon and Dave Brooman



KRISTIN S. CAMP
p: 610.436.4400 Ext# 1050
f: 610.436.8305
e: kcamp@buckleyllp.com
118 W. Market Street, Suite 300
West Chester, PA 19382-2928

November 2, 2020

Mr. Peter M. Hicks
Mr. Philip Hicks
671 Airport Road
West Chester, PA 19380

Re: Paoli Pike Trail Project- East Goshen Township
1325 Paoli Pike, West Chester, PA 19380
Chester County Tax Parcel No. 53-3-1.9

Gentlemen:

Please allow this letter to serve as a follow up from our letter dated September 10, 2020, and enclosures (referred to as "the Correspondence Package"), regarding the East Goshen Township trail construction project along the Paoli Pike corridor from Airport Road to North Chester Road ("the Trail"). As we mentioned in the Correspondence Package, a portion of the Trail will traverse in front of the above-referenced property (referred to as the "Property") on the north side of Paoli Pike so the Township is requesting property interests to complete the project.

I would appreciate if you would review the Correspondence Package and then contact me to further discuss your position on the Township's request for the easements necessary to construct the Trail in the location depicted on the plan. Representatives from the Township and the McMahon Associates engineering firm are willing to meet at the Property to review the locations of the easements and to answer any questions you or your consultants may have on the Trail project.

If you are represented by counsel, and would prefer that we contact them directly, please provide me with their contact information as soon as possible. Otherwise, I look forward to hearing from you and appreciate your anticipated cooperation.

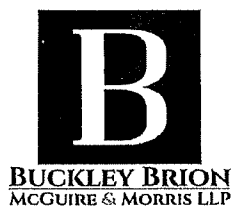
Very truly yours,

Kristin S. Camp | JMB

Kristin S. Camp

KSC:jmb
Enclosures

cc: *via email*
Louis F. Smith, Jr., Township Manager
Mark Gordon, Township Zoning Officer
Steve Giampaolo, PE, Project Engineer



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f: 610.436.8305
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118 W. Market Street, Suite 300
West Chester, PA 19382-2928

November 2, 2020

Mr. William I. Hicks
P.O. Box 3113
West Chester, PA 19381

Re: Paoli Pike Trail Project- East Goshen Township
1325 Paoli Pike, West Chester, PA 19380
Chester County Tax Parcel No. 53-3-1.8

Mr. Hicks:

Please allow this letter to serve as a follow up from our letter dated September 10, 2020, and enclosures (referred to as "the Correspondence Package"), regarding the East Goshen Township trail construction project along the Paoli Pike corridor from Airport Road to North Chester Road ("the Trail"). As we mentioned in the Correspondence Package, a portion of the Trail will traverse in front of the above-referenced property (referred to as the "Property") on the north side of Paoli Pike so the Township is requesting property interests to complete the project.

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If you are represented by counsel, and would prefer that we contact them directly, please provide me with their contact information as soon as possible. Otherwise, I look forward to hearing from you and appreciate your anticipated cooperation.

Very truly yours,

Kristin S. Camp | JMB

Kristin S. Camp

KSC:tbs
Enclosures

cc: *via email*
Louis F. Smith, Jr., Township Manager
Mark Gordon, Township Zoning Officer
Steve Giampaolo, PE, Project Engineer

Kristin Camp

From: Kristin Camp
Sent: Tuesday, November 17, 2020 10:11 AM
To: David Brooman
Subject: East Goshen Township- Paoli Pike Trail
Attachments: 554171.pdf; 554176.pdf

David:

I understand that you are representing various members of the Hicks family regarding East Goshen Township's request for easements and right of way necessary to extend the Paoli Pike Trail. I have attached the letters and documents that we sent to the Hicks and ask that you contact me at your convenience to discuss.

The Township is trying to obtain grant funding for this portion of the trail and must have the property interests in order to do so.

Thank you.



**BUCKLEY BRION
MCGUIRE & MORRIS LLP**

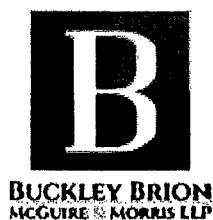
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Kristin Camp

From: Kristin Camp
Sent: Wednesday, December 16, 2020 9:56 AM
To: David Brooman
Cc: Mark Gordon
Subject: Hicks Easements for Paoli Pike Trail

Good morning David. We are curious about the status of the Hicks' review of the easement agreements for the Paoli Pike trail in East Goshen Township. We're anxious to move these negotiations forward. Please let us know when we can expect to hear back with comments on the agreements.



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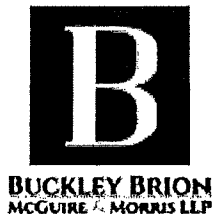
Kristin Camp

From: Kristin Camp
Sent: Tuesday, January 12, 2021 9:23 AM
To: David Brooman
Cc: Mark Gordon; Wanger, Daniel (dwanger@mcmahonassociates.com); Giampaolo, Steve (sgiampaolo@mcmahonassociates.com)
Subject: East Goshen Paoli Pike Trail= Hicks property

David: I wanted to confirm our conversation yesterday about the above. You indicated Mrs. Hicks gave permission to the Township to enter the property to mark the location of the trail and to perform further investigation into wetlands areas. Mark had not received this permission as of this morning. Please ask Linda to send an email to that effect. The engineers will provide notice as to when their survey crews intend to be on site. The Hicks will have to make sure the horses are not out in the field on those dates/times.

Once the trail is marked, we will coordinate a meeting on site with both of us and the engineers present.

If there is anything that I missed from our call, please advise.



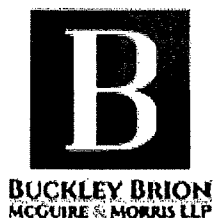
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Kristin Camp

From: Kristin Camp
Sent: Friday, January 22, 2021 4:19 PM
To: David Brooman
Subject: RE: East Goshen Paoli Pike Trail= Hicks property

Thank you David. Linda emailed the Township today granting permission. Once it's staked, can we please set up a meeting on site?



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From: David Brooman <DBrooman@highswartz.com>
Sent: Friday, January 22, 2021 2:27 PM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: RE: East Goshen Paoli Pike Trail= Hicks property

Kristin,
If Mark Gordon does not receive written authorization from Linda by Monday at noon, email me.

Have a great weekend. Stay safe.
David

David J. Brooman, Esquire
(610) 275-0700 ext. 3039 (direct)
(215) 915-9430 (mobile)
(610) 275-5290 (fax)
dbrooman@highswartz.com



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Norristown, PA 19401

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From: Kristin Camp [<mailto:kcamp@buckleyllp.com>]
Sent: Friday, January 22, 2021 1:04 PM
To: David Brooman
Subject: RE: East Goshen Paoli Pike Trail= Hicks property

Hi David. Did you speak to Linda by chance?
Please ask her to contact Mark Gordon.



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From: David Brooman <DBrooman@highswartz.com>
Sent: Tuesday, January 19, 2021 6:28 AM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: RE: East Goshen Paoli Pike Trail= Hicks property

I expect to speak with Linda today. Apologize for the delay.

David J. Brooman, Esquire
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(215) 915-9430 (mobile)
(610) 275-5290 (fax)
dbrooman@highswartz.com



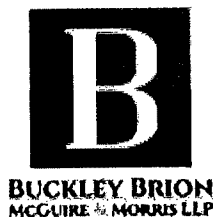
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From: Kristin Camp [<mailto:kcamp@buckleyllp.com>]
Sent: Wednesday, January 13, 2021 8:23 PM
To: David Brooman
Subject: RE: East Goshen Paoli Pike Trail= Hicks property

Thanks David.
Can you please ask Linda to send that authorization.



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From: David Brooman <DBrooman@highswartz.com>
Sent: Wednesday, January 13, 2021 8:16 PM
To: Kristin Camp <kcamp@buckleyllp.com>
Cc: Mark Gordon <mgordon@eastgoshen.org>; Wanger, Daniel (dwanger@mcmahonassociates.com) <dwanger@mcmahonassociates.com>; Giampaolo, Steve (sgiampaolo@mcmahonassociates.com) <sgiampaolo@mcmahonassociates.com>
Subject: RE: East Goshen Paoli Pike Trail= Hicks property

Kristin,

I am in general agreement with your email. I am working on logistics. I concur you should await Mrs. Hicks email confirmation before entering the property.

David

David J. Brooman, Esquire

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(215) 915-9430 (mobile)
(610) 275-5290 (fax)
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Sent: Tuesday, January 12, 2021 9:23 AM
To: David Brooman
Cc: Mark Gordon; Wanger, Daniel (dwanger@mcmahonassociates.com); Giampaolo, Steve (sgiampaolo@mcmahonassociates.com)
Subject: East Goshen Paoli Pike Trail= Hicks property

David: I wanted to confirm our conversation yesterday about the above. You indicated Mrs. Hicks gave permission to the Township to enter the property to mark the location of the trail and to perform further investigation into wetlands areas. Mark had not received this permission as of this morning. Please ask Linda to send an email to that effect. The engineers will provide notice as to when their survey crews intend to be on site. The Hicks will have to make sure the horses are not out in the field on those dates/times.

Once the trail is marked, we will coordinate a meeting on site with both of us and the engineers present.

If there is anything that I missed from our call, please advise.

Kristin Camp

From: Kristin Camp
Sent: Monday, February 08, 2021 10:27 AM
To: David Brooman
Cc: Mark Gordon
Subject: Hicks property - meeting to review request for trail easements

David: good morning. In your last communication you indicated we could attempt to set up a meeting after this week. Please check with your clients and advise if there are any dates in the near future that would work.



BUCKLEY BRION
McGUIRE & MORRIS LLP

Kristin S. Camp, ESQUIRE
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Kristin Camp

From: Kristin Camp
Sent: Thursday, February 25, 2021 3:52 PM
To: David Brooman
Subject: Hicks

Thank you for meeting us at the property this afternoon. One thing I thought about after I drove away is that given that the trail will be built on both sides of the Hicks' property, it's likely that trail users will walk across their property or within the ROW even if the formal trail isn't established. Seems like a better scenario to allow the trail and the various protections we can negotiate.

Also, why don't they install a gate across their access driveway to prevent trespassers or people trying to access the corporate park. If that's something that they would like the Township to install we can certainly discuss that.

I would appreciate it if you would provide a response as to whether they're willing to grant necessary easements. If the answer is NO, (as I suspect) the Board needs to understand that sooner rather than later as it continues to spend money on design.



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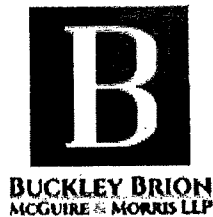
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Kristin Camp

From: Kristin Camp
Sent: Friday, February 26, 2021 7:44 AM
To: David Brooman
Subject: RE: Hicks

Thank you for your response. Do you have any sense of how long it will take for your clients to speak with professionals and provide us with their comments? I think we will agree to disagree about the impact the trail will have on their property.



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From: David Brooman <DBrooman@highswartz.com>
Sent: Thursday, February 25, 2021 8:42 PM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: RE: Hicks

Kristin,

Good to see you this afternoon. We are thinking along the same lines, but there needs to be a better, more refined landscaped architectural design for the fence, and a landscape buffer to shield the public from the farm. A gate is a good idea, but it would need to match the buildings in design and materials. The Hicks are not a no, but they are not a definite yes yet. They need to speak with professionals, and amongst themselves, and attempt to create a vision. There is no question this recreational trail will have a dramatic impact on this majestic Chester County historic gem. They have become extinct.

I am away until Tuesday.

David

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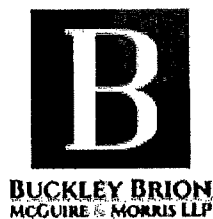
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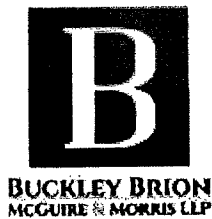
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Kristin Camp

From: Kristin Camp
Sent: Wednesday, March 03, 2021 11:39 AM
To: David Brooman
Subject: RE: Hicks

David: I just called your cell phone but did not leave a message. I'm hoping that you can report back to me on or before March 15th with whether or not your clients are willing to grant the easements subject to working out the terms of the easements. The Township is interested in obtaining grant funding and in order to do so must secure the necessary rights of way and easement in a timely manner. I was speaking to Denny Howell on another matter and he said he observed me and Marl on Paoli Pike last week. He said that he worked for Peter Hicks. I mentioned that maybe the Hicks could contact him to provide engineering evaluation of the impact of the trail. Just a thought...



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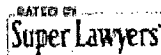
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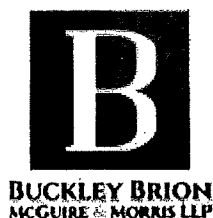
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Kristin Camp

From: Kristin Camp
Sent: Thursday, March 11, 2021 9:02 AM
To: David Brooman
Subject: RE: Hicks

David: thank you for your reply. Before I forward this to Mark Gordon at the Township, are the Hicks willing to grant the necessary easements and convey the necessary right of way for the bridge as long as the Township satisfactorily addresses the conditions listed below? Meaning that if the Township commits to addressing the issues below in a manner satisfactory to your clients, have they agreed to grant the easements? I don't want the Township to spend oodles of money to design the items they have asked for if your clients are still on the fence or not likely to grant the easements.



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From: David Brooman <DBrooman@highswartz.com>
Sent: Wednesday, March 10, 2021 9:48 PM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: Hicks

Kristin,

Thanks for following up on our meeting at the Farms on February 25. As you know, my clients span multiple generations, and each have a unique perspective on the best way to screen the trail to provide security and safety for the residents and workers at the properties, and for the general public. Below is the list of items we would like the Township to consider:

- Black wire on the outside of the fence to prevent children from climbing over the fence and trespassing.
- Post and rail wood fence; not composite or plastic.
- Dense landscaping behind the post and rail wood fence, perpetually maintained by the Township.
- No park benches.
- New driveway to horse stable, with an entrance gate with electronic opening. The entrance to be designed with boulders and other landscaping features to guide/protect hikers and bikers; and, design features that ensure safe entrance and exit to the farms by residents, occupants, workers and visitors.
- Mailbox at agreeable location, subject to approval by the post office.
- No lights of any kind on the trail.
- No flashing or illuminated signs on the property.
- Signage to prevent trespassing.
- no de-icing materials that would be dangerous to animals or streams.
- insurance language and minimum coverages are under review by the Hicks' insurance carriers.

The Hicks do not have the resources (or the time) to retain a landscape architect do design the entrance where the trail crosses, and the other design features. I am sure McMahon has someone on staff that could assist. It would assist in the negotiations.

David

David J. Brooman, Esquire

(610) 275-0700 ext. 3039 (direct)
(215) 915-9430 (mobile)
(610) 275-5290 (fax)
dbrooman@highswartz.com



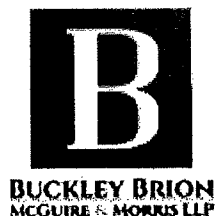
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From: Kristin Camp [mailto:kcamp@buckleyllp.com]
Sent: Wednesday, March 03, 2021 11:39 AM
To: David Brooman
Subject: RE: Hicks

David: I just called your cell phone but did not leave a message. I'm hoping that you can report back to me on or before March 15th with whether or not your clients are willing to grant the easements subject to working out the terms of the easements. The Township is interested in obtaining grant funding and in order to do so must secure the necessary rights of way and easement in a timely manner. I was speaking to Denny Howell on another matter and he said he observed me and Marl on Paoli Pike last week. He said that he worked for Peter Hicks. I mentioned that maybe the Hicks could contact him to provide engineering evaluation of the impact of the trail. Just a thought...



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From: David Brooman <DBrooman@highswartz.com>
Sent: Thursday, February 25, 2021 8:42 PM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: RE: Hicks

Kristin,

Good to see you this afternoon. We are thinking along the same lines, but there needs to be a better, more refined landscaped architectural design for the fence, and a landscape buffer to shield the public from the farm. A gate is a good idea, but it would need to match the buildings in design and materials. The Hicks are not a no, but they are not a definite yes yet. They need to speak with professionals, and amongst themselves, and attempt to create a vision. There is no question this recreational trail will have a dramatic impact on this majestic Chester County historic gem. They have become extinct.

I am away until Tuesday.

David

David J. Brooman, Esquire

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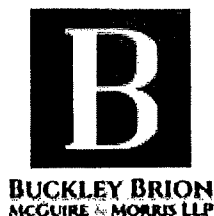
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From: Kristin Camp [mailto:kcamp@buckleyllp.com]
Sent: Thursday, February 25, 2021 3:52 PM
To: David Brooman
Subject: Hicks

Thank you for meeting us at the property this afternoon. One thing I thought about after I drove away is that given that the trail will be built on both sides of the Hicks' property, it's likely that trail users will walk across their property or within the ROW even if the formal trail isn't established. Seems like a better scenario to allow the trail and the various protections we can negotiate.

Also, why don't they install a gate across their access driveway to prevent trespassers or people trying to access the corporate park. If that's something that they would like the Township to install we can certainly discuss that.

I would appreciate it if you would provide a response as to whether they're willing to grant necessary easements. If the answer is NO, (as I suspect) the Board needs to understand that sooner rather than later as it continues to spend money on design.



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Kristin Camp

From: Kristin Camp
Sent: Monday, March 22, 2021 3:27 PM
To: David Brooman
Cc: Kristin Camp
Subject: Letter Addendums to Trail Easements
Attachments: Letter addendum to William Hicks.docx; Letter addendum to Peter and Phillip Hicks.docx

David: I have attached to this email two draft letters that would serve as the letter addendum to the trail easements for both properties owned by the Hicks brothers. Please review these to advise if these are consistent with your conversations with the property owners and if the property owners have agreed to grant the necessary easements if the Township adheres to the terms in this letter. If they are, the Township will engage Lisa Thomas to prepare the renderings which will show the specifications for the fences, landscaping, and farm gate.

Kristin Camp

From: Kristin Camp
Sent: Tuesday, March 23, 2021 7:59 AM
To: David Brooman
Subject: RE: Letter Addendums to Trail Easements

Is it possible for you to provide comment on the letters? Will they want to see the rendering before they sign off on anything?

Have you heard back from their insurance agent?

Time is of the essence for the Township.

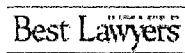


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From: David Brooman <DBrooman@highswartz.com>
Sent: Monday, March 22, 2021 5:26 PM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: RE: Letter Addendums to Trail Easements

Thank you. I am scheduling a trip to visit the family early next week. I will not have anything of substance before then.

David J. Brooman, Esquire
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(215) 915-9430 (mobile)
(610) 275-5290 (fax)
dbrooman@highswartz.com



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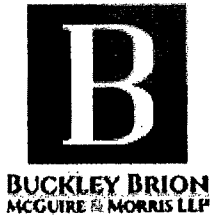
From: Kristin Camp [<mailto:kcamp@buckleyllp.com>]
Sent: Monday, March 22, 2021 3:27 PM
To: David Brooman
Cc: Kristin Camp
Subject: Letter Addendums to Trail Easements

David: I have attached to this email two draft letters that would serve as the letter addendum to the trail easements for both properties owned by the Hicks brothers. Please review these to advise if these are consistent with your conversations with the property owners and if the property owners have agreed to grant the necessary easements if the Township adheres to the terms in this letter. If they are, the Township will engage Lisa Thomas to prepare the renderings which will show the specifications for the fences, landscaping, and farm gate.

Kristin Camp

From: Kristin Camp
Sent: Tuesday, March 30, 2021 9:52 AM
To: David Brooman
Subject: RE: 576962.docx

OK I hope they are on the mend. My email seemed like spam because it was meant to be an internal email. My assistant's initials are "DB" which is how it mistakenly was sent to you.



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From: David Brooman <DBrooman@highswartz.com>
Sent: Tuesday, March 30, 2021 9:09 AM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: RE: 576962.docx

Kristin,

I have not yet met with the Hinks. It became complicated due to Pete ending up in the Hospital a week ago Saturday with a broken spine, and the elder Hicks in poor health. Out of respect for their privacy, I do not want to detail the health condition. I do expect to meet with them this week.

PS: I really did think your emails yesterday were spam, and I have not opened the attachment because it was without any ID other than perhaps your file number.

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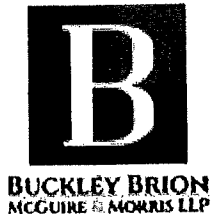
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From: Kristin Camp [<mailto:kcamp@buckleyllp.com>]
Sent: Tuesday, March 30, 2021 8:47 AM
To: David Brooman
Subject: RE: 576962.docx

Me again. Please advise if you have met with the Hicks and when we can expect a response.



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From: David Brooman <DBrooman@highswartz.com>
Sent: Monday, March 29, 2021 12:35 PM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: RE: 576962.docx

I assume this was not meant for me. I did not open the attachment.

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From: Kristin Camp [<mailto:kcamp@buckleyllp.com>]
Sent: Monday, March 29, 2021 12:35 PM
To: David Brooman
Subject: 576962.docx

Please fix the signature lines. They are not set up right.

Kristin Camp

From: Kristin Camp
Sent: Monday, April 05, 2021 2:51 PM
To: David Brooman
Subject: Paoli Pike Trail

Good afternoon. I am following up to see if you had an opportunity to meet with the Hicks?



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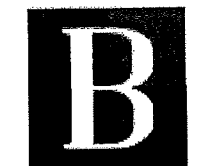
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Kristin Camp

From: Kristin Camp
Sent: Wednesday, April 07, 2021 8:26 AM
To: David Brooman
Subject: Hicks

Good morning. I hope that you have good news to report on both the health of your clients and the easements. Please let me know if you have time to catch up today.



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MCGUIRE & MORRIS LLP**

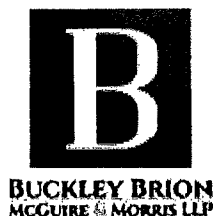
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Kristin Camp

From: Kristin Camp
Sent: Wednesday, April 07, 2021 11:38 AM
To: David Brooman
Subject: RE: Hicks

Greatly appreciated and sorry about Linda.



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From: David Brooman <DBrooman@highswartz.com>
Sent: Wednesday, April 07, 2021 9:14 AM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: RE: Hicks

Kristin,

Dealing with a family is not the easiest to reach consensus, but I am comfortable moving forward with design. I do have changes/refinements to the list, but I need to re-review my notes from yesterday first. I will have some time tomorrow to get something back to you.

Linda has a very bad shoulder condition – 2 ripped tendons from the fall. The surgeon is reasonably optimistic it can be repaired, but it will be a long rehab. Linda is not one to sit still on the farm, so it is driving her crazy. Pete is out of the hospital and recovering nicely.

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From: Kristin Camp [<mailto:kcamp@buckleyllp.com>]
Sent: Wednesday, April 07, 2021 8:26 AM

Kristin Camp

From: Kristin Camp
Sent: Wednesday, April 28, 2021 1:53 PM
To: David Brooman
Subject: RE: Hicks -- request for site meeting

I've sent an email to Mark and Dan to see if they can meet tomorrow. The Township staff is coming up with a specification for the gate.



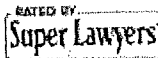
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From: David Brooman <DBrooman@highswartz.com>
Sent: Wednesday, April 28, 2021 1:24 PM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: Hicks -- request for site meeting

There is confusion on the part of the Hicks on how the grading will affect their current slopes, and their decisions on landscaping are dependent on those proposed slopes. I do not have a set of construction plans to figure it out. Can the Township engineer or whomever designed the trail meet Phil, Bill and me on site tomorrow at 2 PM?

I was also advised today that Lisa Thomas is not designing the driveway entrance and gate. Who is that person/firm?

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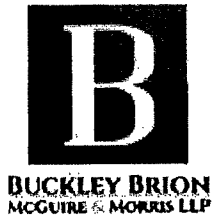
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Kristin Camp

From: Kristin Camp
Sent: Thursday, April 29, 2021 4:18 PM
To: David Brooman
Subject: May 13 1:30pm

David: I've now confirmed that the Township engineer, myself and Mark Gordon are available to meet at the Hicks property on May 13, 2021 any time after 1:30PM.
Please advise if this time works for you and your clients.



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Kristin Camp

From: Kristin Camp
Sent: Tuesday, May 04, 2021 10:56 AM
To: David Brooman
Subject: East Goshen Paoli Pike Trail Construction
Attachments: 20210504092917889.pdf; notes for fence removal National Bank of Malvern.pdf

David: per my call late yesterday, I have attached the plan sheet that shows the PECO utility pole and the fence that must be relocated on the National Bank of Malvern parcel in order to remove guy wires for the PECO pole to allow for the Paoli Pike trail construction on Segment A of the trail. The 2nd attachment is the special notes that the Township's contractor, Road Con, has to follow for this work. Road Con is scheduled to go out on May 17th to start the work. We are trying to coordinate with the property owner and the Hicks who we believe uses a portion of the land for horse pasture.

Our question is who can the contractor coordinate with to make sure the horses are safely confined? I was told the work will take less than one day.

The Township has a signed easement with the land owner to build the trail.

One other issue I discussed with you was the fact that the engineer for Segment B of the trail (which is both Hicks' brothers' land) must perform an archeological investigation as part of the Section 106 review. I will send you the details of the scope of work but wanted to alert you to the fact that the Township will be requesting access of the front portion of the Hicks' property (between the road and fences) in order to do these test pits. The areas will not be within the fence where horses are pastured. More details to follow.

-----Original Message-----

From: Prolaw <prolaw@buckleyllp.com>
Sent: Tuesday, May 04, 2021 9:29 AM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: Message from "4TH-FLOOR-COPIER"

This E-mail was sent from "4TH-FLOOR-COPIER" (MP C6503).

Scan Date: 05.04.2021 09:29:17 (-0400)
Queries to: prolaw@buckleyllp.com

Kristin Camp

From: Kristin Camp
Sent: Thursday, May 06, 2021 8:53 PM
To: David Brooman
Subject: FW: Letter to William
Attachments: 20210506172249978.pdf; gate detail.docx

David: I have attached the draft letter agreement for the above property. Please review with your clients.

-----Original Message-----

From: Debra Benevides <dbenevides@buckleyllp.com>
Sent: Thursday, May 06, 2021 5:05 PM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: Letter to William

What about this one?

-----Original Message-----

From: Prolaw <prolaw@buckleyllp.com>
Sent: Thursday, May 06, 2021 5:23 PM
To: Debra Benevides <dbenevides@buckleyllp.com>
Subject: Message from "4TH-FLOOR-COPIER"

This E-mail was sent from "4TH-FLOOR-COPIER" (MP C6503).

Scan Date: 05.06.2021 17:22:49 (-0400)
Queries to: prolaw@buckleyllp.com

Kristin Camp

From: Kristin Camp
Sent: Monday, May 17, 2021 4:55 PM
To: David Brooman
Subject: Hicks follow up

David: Mark Gordon marked the trail locations this afternoon on the Hicks' property. Here is what he said:

Just got back from making everything. Trail markers are marked in Pink paint, I couldn't leave stakes in the pastures because the horses my step on them at night, so I marked the ground with Pink paint. The Fences are marked in Black, and the extent of the TCE is marked with white paint.

Linda and Peter showed up out there and Peter mentioned that they want this elaborate gate like South Fork Ranch (Dallas TV Show) with stone columns. I said that I hadn't seen anything on the gates yet and we are not proposing to build elaborate stone pillars at this time.

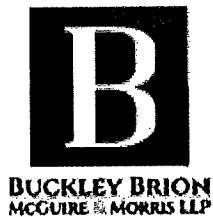
Trail - Pink paint on stakes and paint on the ground in the pasture.

Fences – Stakes marked with Black paint.

TCE – Edge of TCE is marked with stakes near the driveway and painted with White paint.

Fence Closest to Paoli Pike is basically the edge of the Trail easement, it sits just inside the trail easement, so the fence will be ours to maintain.

Please get me detail on gate....



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Kristin Camp

From: Kristin Camp
Sent: Tuesday, May 18, 2021 9:04 AM
To: David Brooman
Subject: RE: Gate Photos

Where did we leave that issue? We will plant what your clients want.



Kristin S. Camp, ESQUIRE
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From: David Brooman <DBrooman@highswartz.com>
Sent: Tuesday, May 18, 2021 8:53 AM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: RE: Gate Photos

Yes, pending the species to plant.

David J. Brooman, Esquire
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(610) 275-5290 (fax)
dbrooman@highswartz.com



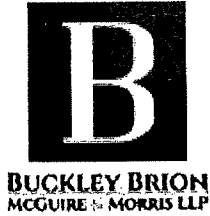
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From: Kristin Camp [<mailto:kcamp@buckleyllp.com>]
Sent: Tuesday, May 18, 2021 8:31 AM
To: David Brooman
Subject: RE: Gate Photos

Thank you. Yes I can open them. I will discuss with the Township. If this is accepted, does that seal the deal??



Kristin S. Camp, ESQUIRE
BUCKLEY BRION McGUIRE & MORRIS LLP
118 W. Market Street, Suite 300
West Chester, PA 19382-2928
D: 484.887.7530 | M: 610.436.4400 Ext.1050
F: 610.436.8305
www.buckleyllp.com

From: David Brooman <DBrooman@highswartz.com>
Sent: Tuesday, May 18, 2021 7:42 AM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: Gate Photos

Kristin,

I was unable to get my scanner to cooperate last night, so this morning I took pictures of the pictures of the gate desired by the Hicks. Attached are the 3 photos. Please confirm receipt and readability/legibility.

Thanks,
David

David J. Brooman, Esquire
(610) 275-0700 ext. 3039 (direct)
(215) 915-9430 (mobile)
(610) 275-5290 (fax)
dbrooman@highswartz.com



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Kristin Camp

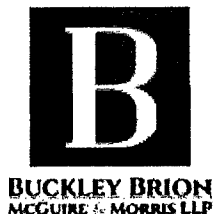
From: Kristin Camp
Sent: Thursday, May 27, 2021 4:51 PM
To: David Brooman
Cc: rsmith@eastgoshen.org (rsmith@eastgoshen.org); Mark Gordon
Subject: RE: Saw you called

David: It is important for me to reply to your email now so that we are in a position for the Hicks to make a decision and hopefully sign the easements and letter agreements before the Tuesday, June 1 Board meeting which commences at 6:00pm.

I have discussed your email below with the manager and Mark Gordon and the Township consultants. Here is what the Township staff has agreed to do (of course subject to Board approval which we will recommend):

- 1) The Township is not willing to install portable sound barriers during the course of construction. They do not believe that the construction activity will generate excessive noise or noise levels that are higher or different from operations and machines used in typical farm operations. We can provide notice as to when certain construction activities will occur to allow for proper planning for the horses. Constructing a trail is much different than Sunoco's HDD operation at the Goshen Executive Center.
- 2) We will add a no blast clause to the letter agreement or easement – wherever you see fit.
- 3) The Township will install one fence with wire mesh lining the trail easement and install blue spruce trees on 8-foot centers behind the fence. Lisa Thomas does not recommend this species due to health issues she is aware of. However, if they insist on this type of tree, the Township will install them, but will limit the warranty period to 1 year from date of installation.
- 4) The Township will not pay Lisa Thomas to prepare new architectural renderings. This is a significant expense and with the added cost of the trees is not warranted. Dan Wanger has confirmed that Lisa's renderings accurately depict the location of the trail.
- 5) The Township's cost estimate for the gate, bringing electric power to the gate, and 2 stone pillars is \$25,800. \$5,000 for gate itself, \$17,000 quote from Lenni Electric to power the gate, and \$3800 to erect 2 stone pillars. I will forward these quotes when I get them from the manager.

I am not sure if you intend to make edits to the easement documents, but I need to see those proposed edits before Tuesday. We want the signed easements in hand prior to 6:00pm Tuesday. I will do what it takes to get these signed and in hand on the terms set forth above.



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From: David Brooman <DBrooman@highswartz.com>
Sent: Wednesday, May 26, 2021 2:14 PM
To: Kristin Camp <kcamp@buckleyllp.com>
Cc: Linda Hicks <lhhicks27@gmail.com>
Subject: Saw you called

I am walled off for the next 3 days in depositions. I cannot spend any more time on the Hicks matter until Saturday.

I will spend Saturday providing mark ups. New issues arose from yesterday's meeting. The first is what to do about the noise and disturbance during the one year it will take to construct the trail on the Farm. Horses are sensitive to both noise and dust, and heavy equipment. We used portable sound barriers at Goshen Executive and it worked well.

The second is we need a no blast clause. Mark said that would not be an issue.

Third, both Philip/Peter and William have agreed on the fence/landscaping — one fence with wire mesh with blue spruce lining the properties behind the fence on 8 foot centers. The Township will do the installation with a 3 year replacement warranty.

I would like that design from Lisa by Friday COB if possible so we can attach to the letter agreement, but kindly ask Lisa to get the dimensions from the engineer. The actual path is at least 35' further into the Farm than depicted by Lisa.

Last issue. On the stone pillars and gate, please give us your cost estimate. The Hicks will take the money and build it with their farm hands.

David J. Brooman
High Swartz, LLP

Sent from my iPhone

Kristin Camp

From: Kristin Camp
Sent: Friday, May 28, 2021 11:37 AM
To: David Brooman
Subject: Hicks

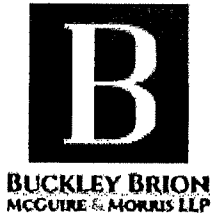
David: we realize the Hicks' family requires more time to evaluate the Township's request for trail easements. We think a meeting at the Township building next week would be very helpful for any and all family members and whatever consultants they request to attend. We can go over the plan, renderings, and new requests. We can also go to the property after the office meeting if necessary. To avoid you driving 90 miles, we can log you into a zoom meeting and have the zoom on a phone if we head over to the property.

Lisa Thomas will reach out to the landscaper you have suggested.

We do want to have these documents signed by June 15 if the Hicks ultimately decide to grant the easements.

As far as construction means and methods, the plans should have these details. We have to adhere to PennDOT publications and process as well.

Please mark up the docs if you feel edits are warranted.



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Kristin Camp

From: Kristin Camp
Sent: Tuesday, June 01, 2021 12:08 PM
To: David Brooman
Subject: Hicks

David: I was hoping that we could coordinate a meeting with your clients and representatives from the Township at the Township building early next week. Please advise whether or not your clients would be willing to do so and if I will be getting revised documents from you. Thank you.



**BUCKLEY BRION
MCGUIRE & MORRIS LLP**

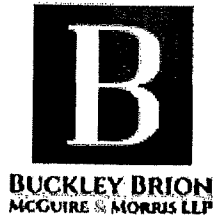
Kristin S. Camp, ESQUIRE
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Kristin Camp

From: Kristin Camp
Sent: Tuesday, June 01, 2021 12:23 PM
To: David Brooman
Subject: RE: Hicks

Thank you for your response. I'm hoping we can continue to work together towards agreements that your clients can live with.



Kristin S. Camp, ESQUIRE
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From: David Brooman <DBrooman@highswartz.com>
Sent: Tuesday, June 01, 2021 12:20 PM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: RE: Hicks

Kristin,

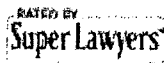
That is my expectation. I have given Linda my schedule for next week. She is coordinating with Mark.

I will get you revised comments when my clients finalize their selection of landscaping and any other comments they may have, which should be minor. Linda also is waiting for comments from her insurance broker in the indemnity and insurance clauses of the Easements.

Best,
David

David J. Brooman, Esquire

(610) 275-0700 ext. 3039 (direct)
(215) 915-9430 (mobile)
(610) 275-5290 (fax)
dbrooman@highswartz.com



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From: Kristin Camp [<mailto:kcamp@buckleyllp.com>]

Sent: Tuesday, June 01, 2021 12:08 PM

To: David Brooman

Subject: Hicks

David: I was hoping that we could coordinate a meeting with your clients and representatives from the Township at the Township building early next week. Please advise whether or not your clients would be willing to do so and if I will be getting revised documents from you. Thank you.



**BUCKLEY BRION
MCGUIRE & MORRIS LLP**

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Kristin Camp

From: Kristin Camp
Sent: Tuesday, June 01, 2021 1:59 PM
To: David Brooman
Subject: RE: Hicks

Rick Smith confirmed that the Hicks' matter is not on the agenda for this evening. Please let me know when you hear back from your clients as to whether we can meet at their earliest convenience. Thank you very much. Hope Linda's feeling better.



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From: David Brooman <DBrooman@highswartz.com>
Sent: Tuesday, June 01, 2021 1:46 PM
To: Kristin Camp <kcamp@buckleyllp.com>
Subject: RE: Hicks

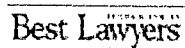
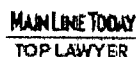
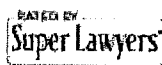
Kristin,

I will have Steve call Lisa if we need it. I met with him Friday and reviewed the species recommended in the Penn State article, and some others we viewed at the farm. I gave that list to Linda on Saturday, with website references, and am waiting on the Hicks Family to make a decision. Linda was down all weekend with the flu.

PS: Steve is my brother in law with an MS in horticulture and founder/owner of Barlow Flower Farm. He did have a stroke two years ago. His right arm is paralyzed preventing any manual labor. He still consults. His son (BS in horticulture; MS in Business Administration) runs the business. It is still a family affair, second generation. Steve is not charging the Hicks for the consulting.

Hicks are on the agenda tonight. Anything I should know?

David J. Brooman, Esquire
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(215) 915-9430 (mobile)
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Debra Benevides

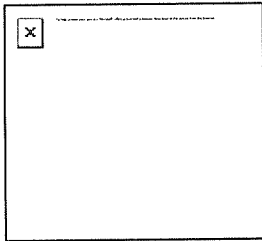
From: Malorie McCoy
Sent: Monday, November 02, 2020 2:40 PM
To: Rick Smith; Mark Gordon; Giampaolo, Steve
Cc: Kristin Camp; Jennifer Breton
Subject: Paoli Pike Trail Project-
Attachments: 559905.pdf; 559904.pdf

All,

I have attached two follow up letters regarding the referenced above project for both Mr. William I. Hicks and Mr. Peter M. Hicks/Mr. Philip Hicks. These were both sent regular mail today to these property owners.

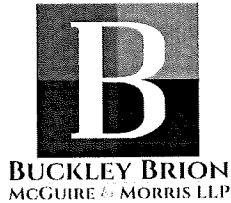
Let me know if there are any questions or concerns.

Thank you,
Malorie



Malorie McCoy, Legal Assistant
BUCKLEY BRION McGUIRE & MORRIS LLP

118 W. Market Street, Suite 300
West Chester, PA 19382-2928
D: 610.235.0049 | M: 610.436.4400 Ext.1410
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KRISTIN S. CAMP
p: 610.436.4400 Ext# 1050
f: 610.436.8305
e: kcamp@buckleyllp.com
118 W. Market Street, Suite 300
West Chester, PA 19382-2928

November 2, 2020

Mr. William I. Hicks
P.O. Box 3113
West Chester, PA 19381

Re: Paoli Pike Trail Project- East Goshen Township
1325 Paoli Pike, West Chester, PA 19380
Chester County Tax Parcel No. 53-3-1.8

Mr. Hicks:

Please allow this letter to serve as a follow up from our letter dated September 10, 2020, and enclosures (referred to as "the Correspondence Package"), regarding the East Goshen Township trail construction project along the Paoli Pike corridor from Airport Road to North Chester Road ("the Trail"). As we mentioned in the Correspondence Package, a portion of the Trail will traverse in front of the above-referenced property (referred to as the "Property") on the north side of Paoli Pike so the Township is requesting property interests to complete the project.

I would appreciate if you would review the Correspondence Package and then contact me to further discuss your position on the Township's request for the easements necessary to construct the Trail in the location depicted on the plan. Representatives from the Township and the McMahan Associates engineering firm are willing to meet at the Property to review the locations of the easements and to answer any questions you or your consultants may have on the Trail project.

If you are represented by counsel, and would prefer that we contact them directly, please provide me with their contact information as soon as possible. Otherwise, I look forward to hearing from you and appreciate your anticipated cooperation.

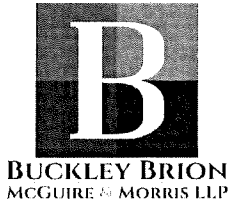
Very truly yours,

Kristin S. Camp / JMB

Kristin S. Camp

KSC:tbs
Enclosures

cc: via email
Louis F. Smith, Jr., Township Manager
Mark Gordon, Township Zoning Officer
Steve Giampaolo, PE, Project Engineer



KRISTIN S. CAMP
p: 610.436.4400 Ext# 1050
f: 610.436.8305
e: kcamp@buckleyllp.com
118 W. Market Street, Suite 300
West Chester, PA 19382-2928

November 2, 2020

Mr. Peter M. Hicks
Mr. Philip Hicks
671 Airport Road
West Chester, PA 19380

Re: Paoli Pike Trail Project- East Goshen Township
1325 Paoli Pike, West Chester, PA 19380
Chester County Tax Parcel No. 53-3-1.9

Gentlemen:

Please allow this letter to serve as a follow up from our letter dated September 10, 2020, and enclosures (referred to as “the Correspondence Package”), regarding the East Goshen Township trail construction project along the Paoli Pike corridor from Airport Road to North Chester Road (“the Trail”). As we mentioned in the Correspondence Package, a portion of the Trail will traverse in front of the above-referenced property (referred to as the “Property”) on the north side of Paoli Pike so the Township is requesting property interests to complete the project.

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Very truly yours,

Kristin S. Camp / JMB

Kristin S. Camp

KSC:jmb
Enclosures

cc: via email
Louis F. Smith, Jr., Township Manager
Mark Gordon, Township Zoning Officer
Steve Giampaolo, PE, Project Engineer

