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March 29, 2013

*Via E-Mail c/o Debbie Matthews:
dmatthews@tuxedopark-ny.gov
and First Class Mail*

Village of Tuxedo Park
P.O. Box 31
80 Lorillard Road
Tuxedo Park, New York 10987

Attention: Thomas Wilson, Mayor

Re: 262 Tuxedo Road

Dear Mr. Wilson:

Our Office has been retained to represent Cindy Booth concerning a stone wall on Tuxedo Road in the Village (the "subject wall"). We have reviewed your March 28, 2013 correspondence addressed to Cindy Booth discussing the subject wall.

First, to the extent that your March 28, 2013 correspondence is intended to constitute a "Notice of Violation" under Village Code § 83-11 or a "Notice to Remedy" under Village Code § 75-24, your correspondence is hereby rejected as having been issued by an unauthorized individual under the Village Code. As a result, any directives to Ms. Booth included in your correspondence are rejected as null and void. Proper statutory notice is a prerequisite to implicating the provisions of Village Code Chapter 75 and Chapter 83 as well as providing Ms. Booth with the required Due Process under the provisions of the State and Federal Constitutions.

Second, as to the concerns raised in your correspondence, we reject and deny any and all of your assertions in your correspondence, including but not limited to, your descriptions of the subject wall as belonging to Ms. Booth and your descriptions of the subject wall as being on her property. Our Office has requested the relevant records that the Village is relying upon in claiming that Ms. Booth is responsible in any manner for the repair or maintenance of the subject

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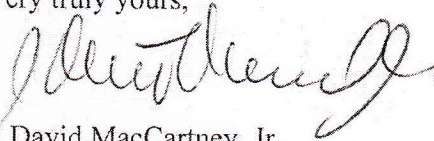
wall. Accordingly, once those records are provided, we will further review the matter of ownership or control of the subject wall.

Third, we reject and dispute the opinions and conclusions of the engineers commissioned by the Village concerning the physical status of the subject wall.

Lastly, we are hereby placing the Village and its officials on notice that our client hereby reserves any and all rights and remedies provided under law and shall appropriately exercise such rights should the Village deprive our client of Due Process of law or any other constitutional rights in taking further actions inconsistent with our client's rights, whether such actions are taken by entities or individuals on behalf of the Village.

Please be guided accordingly.

Very truly yours,



J. David MacCartney, Jr.

JDMjr/etm

cc: Village Board
John Ledwith, Building Inspector
Cindy Booth