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ATTORNEYS
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ROBERT E. HARDWICKE
(1889-1970)

ALEX POPE, JR.
(1913-1988)

ROBERT E. HARDWICKE, JR.
(1917-1991)

JAMES W. SCHELL

July 22, 2009

Via E-mail – felix.wong@ci.mansfield.tx.us

Mr. Felix Wong
Director of Planning
City of Mansfield
1200 E. Broad St.
Mansfield, TX 76063

Via Facsimile – (817) 332-4740
& via E-mail – ataylor@toase.com

E. Allen Taylor, Jr., Esq.
Taylor, Olson, Adkins, Sralla & Elam, L.L.P.
6000 Western Place, Suite 200
Fort Worth, TX 76107-4654

Re: Planned Development for pickle processing facility at 1101 W. Debbie Lane, Mansfield, Texas

Gentlemen:

As you may recall, the undersigned firm represents Best Maid Products, Inc. We appreciate Mr. Wong's letter of June 25, 2009, and have been asked by our client to respond to same on behalf of Best Maid. We will respond to each of the individual items in the order propounded in Mr. Wong's letter.

1. Our client recognizes the need to install the screening wall and wood fence along the northern and western property lines of the subject tract. To that end, they are interviewing, and propose to engage, a reputable contractor to install the wall, fence, irrigation and landscaping. Unfortunately, this week begins the busiest period of the pickle facility's operations, since from July 15 through October 1 the facility intakes cucumbers from its growers to process into pickles. This involves 20 or so truckloads of pickles a day which obviously requires much of management's attention and will interfere with a construction project. Nevertheless, our clients commit to you that they will commence construction of the screening wall and wood fence prior to October 1 of this year. In this regard, we request that a rock or stone masonry wall also be allowed rather than restricting the wall only to brick. Further, we request that

an access gate in such wall be permitted so that maintenance equipment (such as lawnmowers) from the interior of the facility may access the Debbie Lane parkway without driving on a public right-of-way. In addition, we ask that the section of the wall across the existing drainageway be constructed as a wrought iron fence (instead of a masonry wall) to allow the passage of storm water through it.

2. The landscaping along the northern property line will be installed, weather permitting, soon after the completion of the screening fence. We believe that locating the landscaping and trees outside the wall in the parkway would provide a much more aesthetically pleasing view from Debbie Lane. The tanks along the northern property line are ones that remained after the relocation of the tanks which were in the area donated at no cost by the Daltons to the City for the widening of Debbie Lane.

The masonry screening wall to be constructed will not encroach into the Debbie Lane right-of-way. Where it is necessary because of the location of existing tanks, we request that we be allowed to install the required trees in the Debbie Lane parkway within a five foot area adjacent to the masonry screen wall. The construction of the masonry wall and parkway landscaping will effectively and substantially obscure the tanks view from Debbie Lane.

3. As you have observed, approximately 30 tanks are along the western property line. This area was not initially foreseen as being an area for the location of processing tanks. As you know, an application has been filed by XTO to locate and construct a frac water tank in that area east of the existing processing tank field. We respectfully request that Best Maid be allowed to relocate the tanks situated along the western boundary to areas adjacent to the southern and eastern rows of existing tanks, such areas being designated as "Tank Relocation" on the enclosed exhibit. The relocation of such tanks will begin within six (6) months from the end of the current harvest season, October 1st. Therefore, the relocation would be completed by April 1, 2010.
4. We believe there is some confusion regarding the driveway south of the tanks leading to the waste water sump tank and the gravel area in front of the waste water sump tank. As you know, the PD site plan that was approved was a long-term, forward looking plan. The actual caliche driveway in existence on the property at the present time is not a permanent driveway, but rather, is a seasonal/temporary drive off the driveway that has been in existence for many years prior to 1996. This seasonal/temporary driveway cuts across an area on the site plan that is designated in the future for a building, truck scale and truck/trailer storage. It is utilized during the harvest period by the incoming growers' trucks to bring the cucumbers onto the facility for disposition and processing, rather than having the trucks lined up along North Main Street. Since this site plan contemplates the long term development of this facility,

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we request that a note be added to the site plan permitting this seasonal/ temporary driveway to remain until construction is completed in the future of the buildings indicated on the southern and eastern parts of the property. At that time the contemplated future driveway will be constructed and this seasonal/temporary drive will be eliminated. I have enclosed exhibits that I have, as best I can, traced the location of this seasonal/temporary drive on the PD site plan.

Likewise, the area in front of the waste water sump tank is constructed of gravel, rather than concrete, because it is planned to be the site of a future building of 15,625 +/- square feet. If this were to be concreted, then to construct the building in the future such concrete would have to be demolished and removed so that infrastructure for the building could be put in place and a new foundation poured. Again, we request that a note be added allowing this gravel area to remain until construction commences on the future building.

We appreciate your calling these matters to our attention. We hope that the scheduled construction to bring this site into compliance and the explanations as to current temporary uses until the final long-term plan can be achieved when the demands of our clients' business dictates, will be acceptable to you. Further, if you find our requests to be in order, we ask that our clients be allowed to present and file with City Staff a professionally prepared site plan incorporating these minor revisions.

Very truly yours,



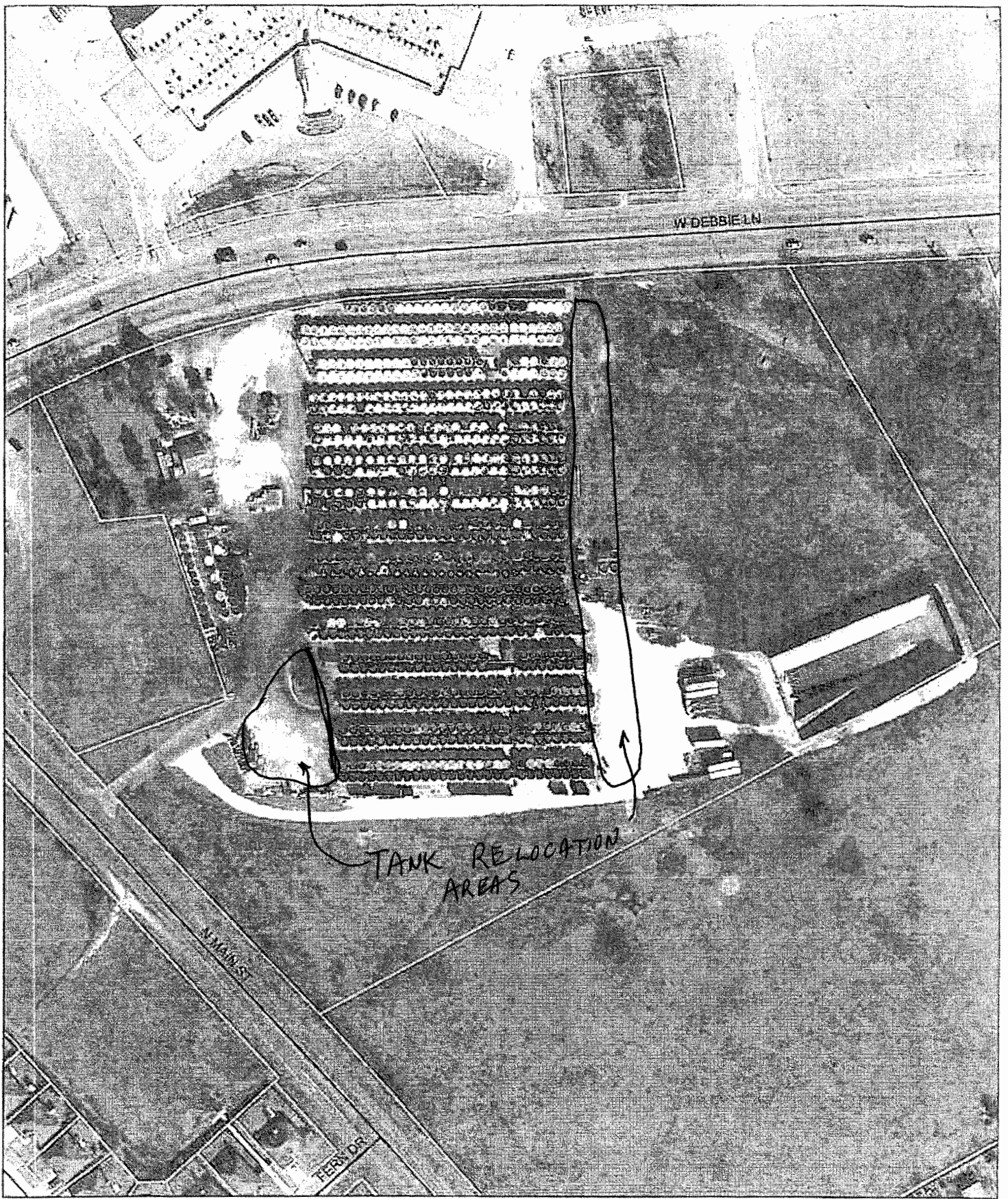
James W. Schell
Pope, Hardwicke, Christie, Schell,
Kelly & Ray, L.L.P.
Attorneys for Best Maid Products, Inc.

JWS/st

Enclosure

P:\DALTON\Best Maid\Letters\2009\Wong 07-22-09.doc

cc/enc: Best Maid Products, Inc.



Existing conditions at Dalton Best Maid property

N 71°45'57" E

EDGE OF CONCRETE 212.25'

BUSINESS HIGHWAY NORTH MAIN STREET NO. 287

100' WIDE

PUBLIC R.O. 65.5' W

FUTURE PARKING

EXISTING DRIVE

FUTURE DUMPSTER

FUTURE BUILDING 4,000 S.F. (OFFICE, LUNCH ROOM, BATH)

6' BRICK SCREEN FENCE

TRUCK/TRAILER STORAGE

EXIST. FENCE

BOLLARD POST (TYP)

N 41°55'46" W 552.07'

FUTURE PARKING

FUTURE BUILDING 12,000 S.F. (OFFICE, LUNCHROOM, BATH, MAINTENANCE)

6' BRICK SCREEN FENCE

EXISTING FENCE

WALL CORNER



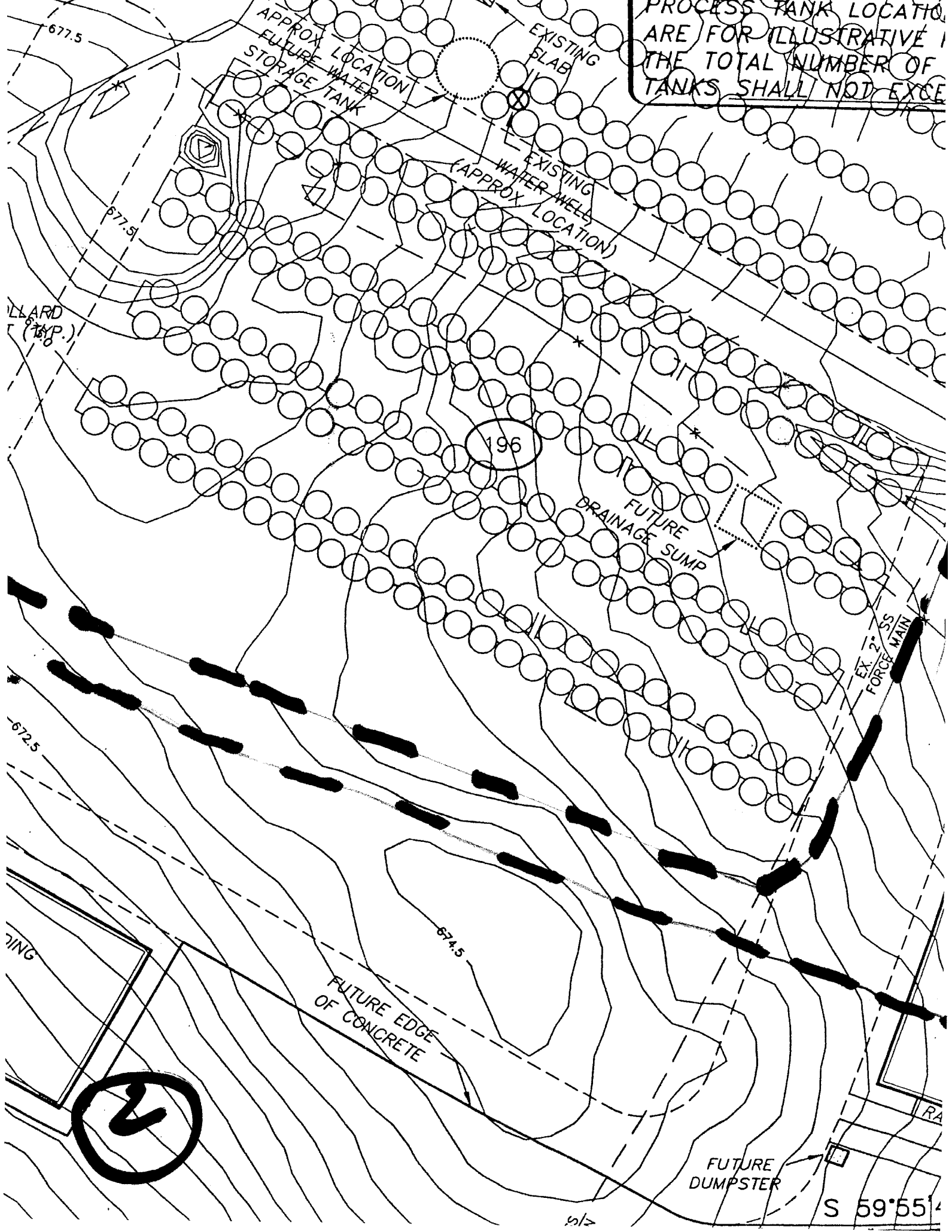
FUTURE 10 FOOT RIGHT OF WAY TO BE ACQUIRED BY CITY OF MANSFIELD

6655.0

667.5

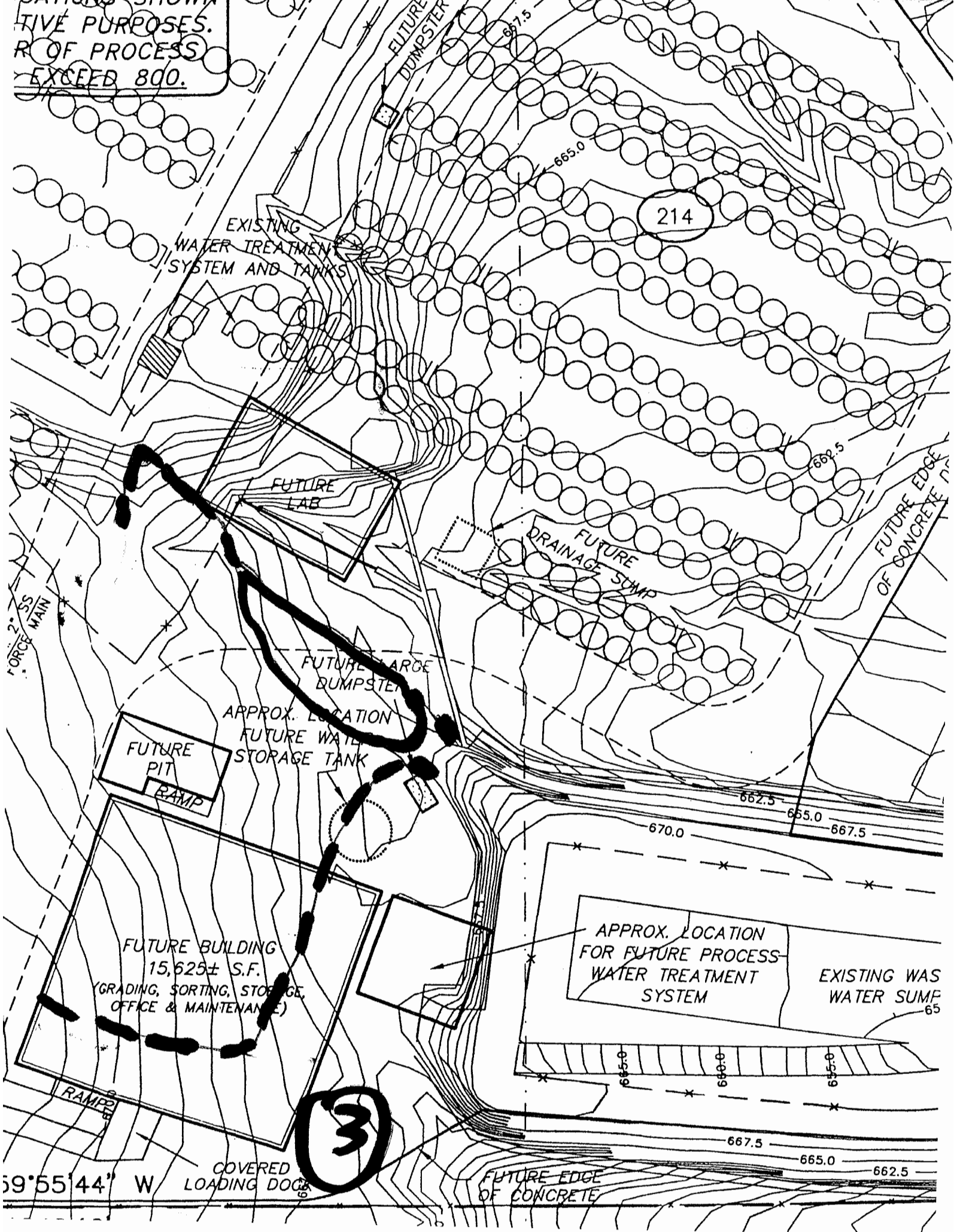
672.5

PROCESS TANK LOCATIONS
ARE FOR ILLUSTRATIVE
THE TOTAL NUMBER OF
TANKS SHALL NOT EXCEED



S 59°55'

DATA SHOWN
FOR PURPOSES.
OF PROCESS
EXCEED 800.



59°55'44" W

COVERED
LOADING DOCK

3

FUTURE EDGE
OF CONCRETE

FUTURE
PIT
RAMP

FUTURE BUILDING
15,625± S.F.
(GRADING, SORTING, STORAGE,
OFFICE & MAINTENANCE)

APPROX. LOCATION
FUTURE WATER
STORAGE TANK

FUTURE LARGE
DUMPSTER

EXISTING
WATER TREATMENT
SYSTEM AND TANKS

FUTURE
LAB

FUTURE
DRAINAGE SUMP

APPROX. LOCATION
FOR FUTURE PROCESS-
WATER TREATMENT
SYSTEM

EXISTING WAS
WATER SUMP
65

214

2" SS
FORCE MAIN

FUTURE EDGE
OF CONCRETE

670.0

662.5

655.0

667.5

655.0

660.0

655.0

667.5

665.0

662.5