In the
Supreme Court of the State of Nevada

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Elizabeth A. Brown
Clerk of Supreme Court

SOMERSETT OWNERS ASSOCIATION, a Domestic Non-Profit Corporation, Appellant, vs. SOMERSETT DEVELOPMENT COMPANY, LTD, a Nevada Limited Liability Company; SOMERSETT, LLC a dissolved Nevada Limited Liability Company; SOMERSETT DEVELOPMENT CORPORATION, a dissolved Nevada Corporation; Q & D Construction, Inc., a Nevada Corporation; PARSONS BROS ROCKERIES, INC. a Washington Corporation; and STANTEC CONSULTING SERVICES, INC., Respondents.	**Case No. 79921**

APPELLANT SOMERSETT OWNERS ASSOCIATION'S

APPENDIX

VOLUME 5 OF 6

ALPHABETICAL INDEX TO APPENDIX

Document	**Volume**	**Page No.**
Supplemental Appendix of Plaintiff's Supporting Evidence with Exhibits 6, 10, 39,40, 41, 42, 43, 44	Vol. 5	AA000795 – AA000869
Transcript of Proceedings on Motions	Vol. 6	AA000896 – AA001063

DATED this 13th day of August, 2020.

WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP

By: */s/ Bradley Schrager*
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Attorneys for Appellant Somersett Owners Association

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of August, 2020, a true and correct copy of the foregoing Appellant Somersett Owners Association's Appendix was served upon all counsel of record by electronically filing the document using the Nevada Supreme Court's electronic filing system.

By: */s/ Dannielle Fresquez*
Dannielle Fresquez, an Employee of
WOLF, RIFKIN, SHAPIRO,
SCHULMAN & RABKIN, LLP

4105
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Attorneys for Somersett Owners Association

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

SOMERSETT OWNERS ASSOCIATION, a Domestic Non-Profit Corporation,

Plaintiff,

vs.

SOMERSETT DEVELOPMENT COMPANY, LTD, a Nevada Limited Liability Company; SOMERSETT, LLC a dissolved Nevada Limited Liability Company; SOMERSETT DEVELOPMENT CORPORATION, a dissolved Nevada Corporation; PARSONS BROS ROCKERIES, INC. a Washington Corporation; Q & D Construction, Inc., a Nevada Corporation, and DOES 1 through 50, inclusive,

Defendants.

AND RELATED CROSS-ACTIONS.

Case No. CV-1702427

Dept. No.: 10

Judge: Hon. Elliott A. Sattler

SUPPLEMENTAL APPENDIX OF PLAINTIFF'S SUPPORTING EVIDENCE

COME NOW Plaintiff Somersett Owners Association ("**Plaintiff**") by and through its counsel of record, hereby Supplements its Appendix of Supporting Evidence in support of Plaintiff's Briefings filed on April 26, 2019[1] as follows:

[1] Response of Plaintiff to Third-Party Defendant Stantec Consulting Services, Inc.'s Objection to Evidence Offered in Plaintiff's Motion to Strike;

Opposition of Plaintiff to Defendant Somersett Development Company, Ltd's Motion for Summary Judgment (Relating to the NRS 11.202 Statute of Repose);

(footnote continued)

EXHIBIT NO.	DOCUMENT DESCRIPTION	AUTHENTICATED BY:	NUMBER OF PAGES
6	Amended American Geotechnical Spreadsheet	Edred T. Marsh	12
10	Supplement adding maps 29, 30, 31, and 32 (PSOA021323; PSOA 21372; PSOA21392; PSOA021417)	Edred T. Marsh	4
39	Documents Bates Stamped PSOA007922 - PSOA007931 PSOA004407; PSOA004434 – PSOA004435; PSOA004457	Errata and Supplemental Appendix of Plaintiff's Supporting Evidence to Opposition and Declaration of Edred T. Marsh	16
40	Documents Bates Stamped PSOA001354 - PSOA001364	Errata and Supplemental Appendix of Plaintiff's Supporting Evidence to Opposition and Declaration of Edred T. Marsh	12
41	Documents Bates Stamped PSOA007162 - PSOA007166; PSOA003115; PSOA003124: PSOA003126;	Errata and Supplemental Appendix of Plaintiff's Supporting Evidence to Appendix and Declaration of Edred T. Marsh	11

Opposition of Plaintiff to Defendant Somersett Development Company, Ltd's Motion for Summary Judgment (Relating to NRS 40.668);

Reply of Plaintiff in Support of its Motion to Strike Certain Affirmative Defenses Relating to Statutes of Limitation and Repose;

Opposition of Plaintiff to Defendants' Joint Motion for Summary Judgment(Omnibus Motion);

Request by Plaintiff for Judicial Notice

EXHIBIT NO.	DOCUMENT DESCRIPTION	AUTHENTICATED BY:	NUMBER OF PAGES
42	Document Bates Stamped PSOA002763	Errata and Supplemental Appendix of Plaintiff's Supporting Evidence to Opposition	1
43	Supplemental Declaration of Edred T. Marsh	Declarant	4
44	Supplemental Declaration of Joseph F. Shields	Declarant	3

AFFIRMATION

The undersigned does hereby affirm, pursuant to NRS 239B.030, that this document and any attachments do not contain personal information as defined in NRS 603A.040 about any person.

DATED this 13th day of May 2019.

WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP

By: _____

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CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of May, 2019, I electronically filed the foregoing **SUPPLEMENTAL APPENDIX OF PLAINTIFF'S SUPPORTING EVIDENCE** with the Clerk of the Court by electronic service, in accordance with the Master Service List, pursuant to NEFCR 9 to the following:

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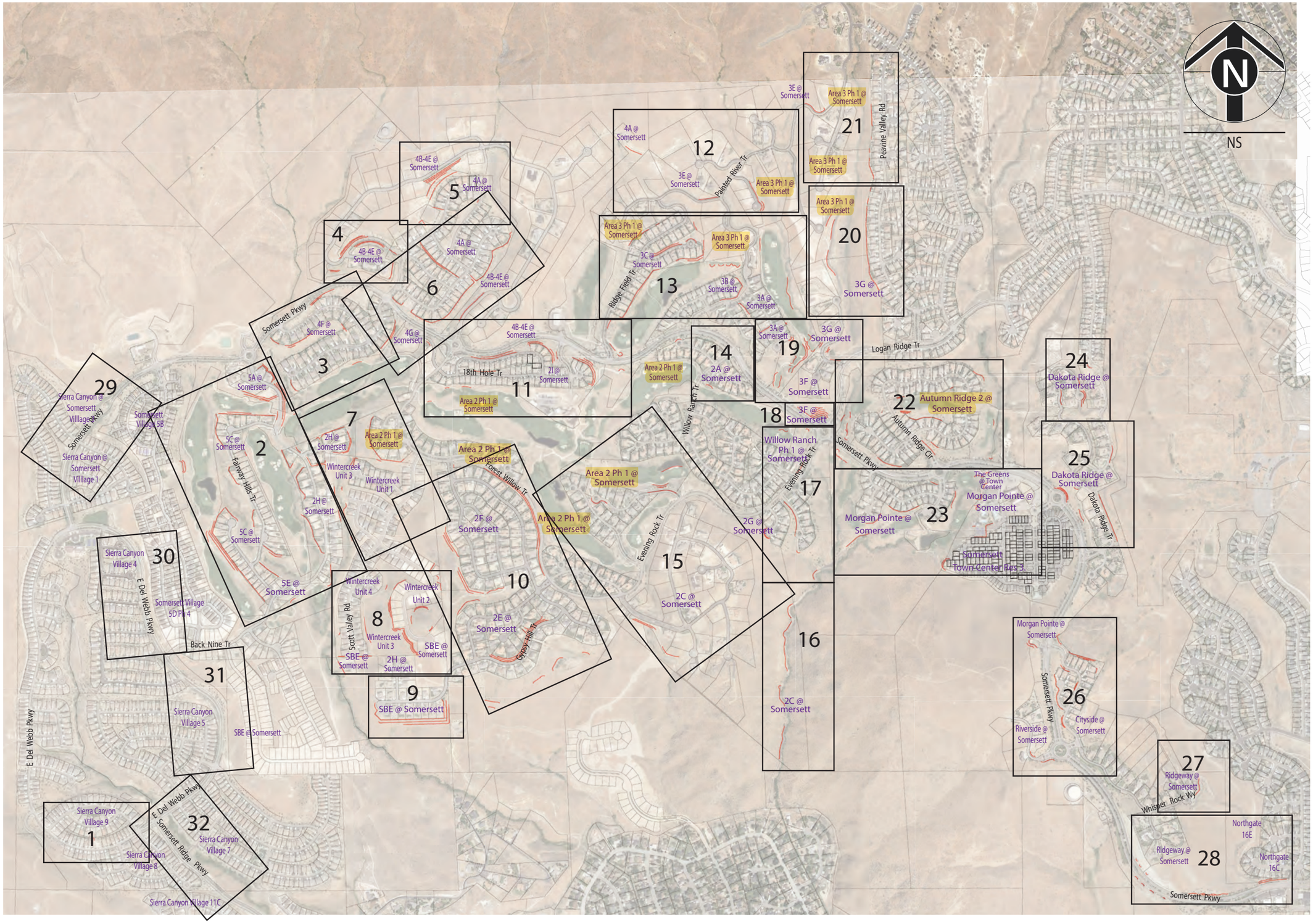
By _____
Laura Simar, an employee of
WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP

F I L E D
Electronically
CV17-02427
2019-05-13 03:34:30 PM
Jacqueline Bryant
Clerk of the Court
Transaction # 7267124 : yviloria

AMENDED EXHIBIT 6

AMENDED EXHIBIT 6



Areas covered by a letter from Mr. Theodore Chrissinger of HCKV to Mr. John Samberg of WRSSR that indicate Mr. Harlan Fricke design is higher than 10 feet.
PSOA 7922-7931 (Area 2, Phase 1), 1354-1364 (Area 3, Phase 1), 7162-7166 (Autumn Ridge)

Figure 1

Site Documentation Reference Map

Somersett - Rockery Wall

Reno, NV

American Geotechnical, Inc.

F.N. 40789.01

AA000800

American Geotechnical, Inc.
GEOTECHNICAL ENGINEERING / MATERIALS TESTING & INSPECTION

Rockery Wall Summary Table

AG Map #	Wall ID #	Unit/ Phase Name	Rockery Wall Permit #	Civil Designer (Page #)	Civil Plans have Detail or Cross Sec Y/N	Wall Designer	Geotechnical Report By & Date (Rockery wall rec page #)	Final Rockery Wall Report & Date	Length	Rockery Wall Observed # of Tiers	Rockery Wall Field Measured Max. Height (ft)
1	1	Sierra Canyon Village 9	LDP-05-01056	Mackay & Somps (C-11 of C-22)	Y		Kleinfelder 07-06-04		41	**1**	**7.5**
2	43	5C @ Somersett	LDP05-00476	Odyssey (Sht G-3, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	162	**2 (L)**	**8**
	44	5C @ Somersett	LDP05-00476	Odyssey (Sht G-3, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	262	**2 (U)**	**10**
	45	5C @ Somersett	LDP05-00476	Odyssey (Sht G-4, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	281	**1**	**4-8.5**
	46	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-9)		Harlan Fricke			81	**1**	**4-6**
	47	2H @ Somersett	LDP05-07892	Odyssey (Sht G-2, G-3)	Y	Harlan Fricke		Stantec 12/21/2006	273	**1**	**3-12**
	48	5C @ Somersett	LDP05-00476	Odyssey (Sht G-3, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	216	**1**	**6.5-9**
	49	5C @ Somersett	LDP05-00476	Odyssey (Sht G-2, G-7)	Y	Harlan Fricke		Stantec 12/21/2006		**1**	**KEYSTONE TYPE WALL**
	56	2H @ Somersett	LDP05-07892	Odyssey (Sht G-2, G-3)	Y	Harlan Fricke		Stantec 12/21/2006	213	**1**	**7-9**
	57	2H @ Somersett	LDP05-07892	Odyssey (Sht G-2, G-3)	Y	Harlan Fricke		Stantec 12/21/2006	321	**1**	**7-11.5**
	60	2H @ Somersett	LDP05-07892	Odyssey (Sht G-1, G-3)	Y	Harlan Fricke		Stantec 12/21/2006	297	**1**	**7-11**
	63	5A @ Somersett	LDP05-01685	Manard (Sht 5)	Y	Harlan Fricke		Stantec 12/21/2006	132	**2 (L)**	**7-8**
	64	5A @ Somersett	LDP05-01685	Manard (Sht 5)	Y	Harlan Fricke		Stantec 12/21/2006	282	**2 (U/L)**	**12**
	65	5A @ Somersett	LDP05-01685	Manard (Sht 5)	Y	Harlan Fricke		Stantec 12/21/2006	161	**2 (U)**	**10-12**
	114	5C @ Somersett	LDP05-00476	Odyssey (Sht G-3, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	218	**1**	**6**
	113	5C @ Somersett	LDP05-00476	Odyssey (Sht G-3, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	1335	**4 (L)**	**10**
	115	5C @ Somersett	LDP05-00476	Odyssey (Sht G-3, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	689	**4 (M1)**	**8-11**
	116	5C @ Somersett	LDP05-00476	Odyssey (Sht G-3, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	558	**4 (M2)**	**8-10**
	117	5C @ Somersett	LDP05-00476	Odyssey (Sht G-3, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	137	**4 (U)**	**10**
	118	5D @ Somersett?							172	**2 (L)**	**5-6**
	119	5D @ Somersett?							155	**2(U)**	**7**
	120	5C @ Somersett	LDP05-00476	Odyssey (Sht G-2, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	256	**1**	**10-13**
	121	5C @ Somersett	LDP05-00476	Odyssey (Sht G-2, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	437	**1**	**8**
	122	5C @ Somersett	LDP05-00476	Odyssey (Sht G-1, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	664	**2 (L)**	**10-11**
	123	5C @ Somersett	LDP05-00476	Odyssey (Sht G-1, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	282	**2 (U)**	**7**
	124	5A @ Somersett	LDP05-01685	Manard (Sht 5)	Y	Harlan Fricke		Stantec 12/21/2006	420	**3 (U)**	**7-8**
	125	5A @ Somersett	LDP05-01685	Manard (Sht 5)	Y	Harlan Fricke		Stantec 12/21/2006	413	**3 (M)**	**10**
	126	5A @ Somersett	LDP05-01685	Manard (Sht 5)	Y	Harlan Fricke		Stantec 12/21/2006	121	**3 (L)**	**10**
	127	5C @ Somersett	LDP05-00476	Odyssey (Sht G-2, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	102	**1**	**7**
	129	5C @ Somersett	LDP05-00476	Odyssey (Sht G-2, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	456	**3 (U)**	**8-9**
	130	5C @ Somersett	LDP05-00476	Odyssey (Sht G-2, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	559	**3 (M)**	
	131	5C @ Somersett	LDP05-00476	Odyssey (Sht G-2, G-7)	Y	Harlan Fricke		Stantec 12/21/2006	246	**3 (L)**	
	133	2H @ Somersett	LDP05-07892	Odyssey (Sht G-1, G-3)	Y	Harlan Fricke		Stantec 12/21/2006	86	**1**	**9**
	1012	5D @ Somersett?								**1**	
	58	2H @ Somersett	LDP05-07892	Odyssey (Sht G-1, G-2, G-3)	Y	Harlan Fricke		Stantec 12/21/2006	436	**1**	**8**
	59	2H @ Somersett	LDP05-07892	Odyssey (Sht G-1, G-2, G-3)	Y	Harlan Fricke		Stantec 12/21/2006	436	**1**	**11**

374 Total walls field mapped
171 Rockery Walls with at least 2 Tiers
67 Rockery Wall Height Measured to be Greater than 10 feet

Areas covered by letter by Mr. Theodore Chrissinger of HCKV to Mr. John Samberg of WRSSR dated 05/07/19 which points out Mr. Harlan Fricke's wall design is higher than 10 feet. PSOA 07922-7931 (Area 2, Phase 1), 1354-1364 (Area 3, Phase 1), 7162-7166 Autumn Ridge)

Walls within areas covered which plans show are not to exceed 10 feet in height

The only location where the plans and specifications allowed for a wall that was greater than 10 feet and was confirmed through our field measurements to be greater than 10 feet.

American Geotechnical, Inc.
GEOTECHNICAL ENGINEERING / MATERIALS TESTING & INSPECTION

Rockery Wall Summary Table

AG Map #	Wall ID #	Unit/ Phase Name	Rockery Wall Permit #	Civil Designer (Page #)	Civil Plans have Detail or Cross Sec Y/N	Wall Designer	Geotechnical Report By & Date (Rockery wall rec page #)	Final Rockery Wall Report & Date	Length	Rockery Wall Observed # of Tiers	Rockery Wall Field Measured Max. Height (ft)
3	62	4F @ Somersett	LDP04-02601	Summit (St D-3)	N			Stantec 12/21/2006	168	1	5-6
	67	4F @ Somersett	LDP04-02601	Summit (St D-3)	N			Stantec 12/21/2006	126	1	8
	66	4F @ Somersett	LDP04-02601	Summit (St D-3)	N			Stantec 12/21/2006	359	2 (U)	8
	68	4F @ Somersett	LDP04-02601	Summit (St D-3)	N			Stantec 12/21/2006	92	2 (L)	8
	69	4F @ Somersett	LDP04-02601	Summit (St D-3)	N			Stantec 12/21/2006	21	2 (L)	8-9
	70	4F @ Somersett	LDP04-02601	Summit (St D-3)	N			Stantec 12/21/2006	106	2 (U)	10-12
	71	4F @ Somersett	LDP04-02601	Summit (St D-3)	N			Stantec 12/21/2006	166	2 (L)	6-7
	72	4F @ Somersett	LDP04-02601	Summit (St D-3)	N			Stantec 12/21/2006	343	2 (U)	10-12
	128	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-6)		Harlan Fricke			120	1	6
	132	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-6)		Harlan Fricke			37	1	2
4	73	4A @ Somersett	LDP04-04745	Stantec (Sht GP-1, GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006	203	1	10-12
	79	4A @ Somersett	LDP04-04745	Stantec (Sht GP-1, GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006	99	1	4-4.5
	320	4B-4E @ Somersett	LDP04-04771	Stantec (Sht GP-7, GP-8)	N		Stantec 05/26/2004	Stantec 12/21/2006	101	2 (L)	8-10
	321	4B-4E @ Somersett	LDP04-04771	Stantec (Sht GP-7, GP-8)	N		Stantec 05/26/2004	Stantec 12/21/2006	130	2 (U)	8-9
	322	4B-4E @ Somersett	LDP04-04771	Stantec (Sht GP-7, GP-8)	N		Stantec 05/26/2004	Stantec 12/21/2006	347	3 (U)	7-8
	323	4B-4E @ Somersett	LDP04-04771	Stantec (Sht GP-7, GP-8)	N		Stantec 05/26/2004	Stantec 12/21/2006	376	3 (M)	9
	324	4B-4E @ Somersett	LDP04-04771	Stantec (Sht GP-7, GP-8)	N		Stantec 05/26/2004	Stantec 12/21/2006	442	3 (L)	5-6
	325	4B-4E @ Somersett	LDP04-04771	Stantec (Sht GP-7, GP-8)	N		Stantec 05/26/2004	Stantec 12/21/2006	383	2 (L)	7-8
	326	4B-4E @ Somersett	LDP04-04771	Stantec (Sht GP-7, GP-8)	N		Stantec 05/26/2004	Stantec 12/21/2006	354	2 (U)	10
5	76	4A @ Somersett	LDP04-04745	Stantec (Sht GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006	35	1	8-9
	77	4A @ Somersett	LDP04-04745	Stantec (Sht GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006	131	1	5
	78	4A @ Somersett	LDP04-04745	Stantec (Sht GP-1)	Y		Stantec 05/26/2004	Stantec 12/21/2006	121	1	3-6
	315	4B-E @ Somersett	LDP04-04771	Stantec (Sht GP-5, GP-6, GP-8)	N		Stantec 05/26/2004	Stantec 12/21/2006	510	4 (U)	10
	316	4B-E @ Somersett	LDP04-04771	Stantec (Sht GP-5, GP-6, GP-8)	N		Stantec 05/26/2004	Stantec 12/21/2006	466	4 (M2)	9-10
	317	4B-E @ Somersett	LDP04-04771	Stantec (Sht GP-5, GP-6, GP-8)	N		Stantec 05/26/2004	Stantec 12/21/2006	332	4 (M1)	8-10
	318	4A @ Somersett	LDP04-04745	Stantec (Sht GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006	368	4 (L)	6-8
	319	4A @ Somersett	LDP04-04745	Stantec (Sht GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006	477	1	6-12
6	74	4A @ Somersett	LDP04-04745	Stantec (Sht GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006	374	2 (L)	8.5-10
	75	4A @ Somersett	LDP04-04745	Stantec (Sht GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006	621	2 (U)	9-9.5
	80	4A @ Somersett	LDP04-04745	Stantec (Sht GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006	868	1	8-11
	81	4A @ Somersett	LDP04-04745	Stantec (Sht GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006	1083	1	7.5-10.5
	82	4A @ Somersett	LDP04-04745	Stantec (Sht GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006	187	1	10
	83	4F @ Somersett	LDP04-02601	Summit (Sht G-1 & D-3)	N		Stantec 05/26/2004	Stantec 12/21/2006	166	2 (L)	9.5-11.5
	84	4F @ Somersett	LDP04-02601	Summit (Sht G-1 & D-3)	N		Stantec 05/26/2004	Stantec 12/21/2006	390	2 (U)	7.5-13
	85	4C @ Somersett?							60	1	5
	1013	4A @ Somersett	LDP04-04745	Stantec (Sht GP-1, GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006		1	9.5-10
	1014	4A @ Somersett	LDP04-04745	Stantec (Sht GP-1, GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006		1	10
	1015	4A @ Somersett	LDP04-04745	Stantec (Sht GP-1, GP-2)	Y		Stantec 05/26/2004	Stantec 12/21/2006		1	8.5

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American Geotechnical, Inc.
GEOTECHNICAL ENGINEERING / MATERIALS TESTING & INSPECTION

Rockery Wall Summary Table

AG Map #	Wall ID #	Unit/ Phase Name	Rockery Wall Permit #	Civil Designer (Page #)	Civil Plans have Detail or Cross Sec Y/N	Wall Designer	Geotechnical Report By & Date (Rockery wall rec page #)	Final Rockery Wall Report & Date	Length	Rockery Wall Observed # of Tiers	Rockery Wall Field Measured Max. Height (ft)
7	50	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-1)	N		Converse 03/12/04	Stantec 12/21/2006	56	**1**	**8**
	51	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-1, G-2)	N		Converse 03/12/04	Stantec 12/21/2006	178	**1**	**8**
	52	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-2)	N		Converse 03/12/04	Stantec 12/21/2006	188	**1**	**7-11**
	53	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-2)	N		Converse 03/12/04	Stantec 12/21/2006	26	**1**	**4**
	55	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-2)	N		Converse 03/12/04	Stantec 12/21/2006	139	**1**	**11**
	61	2H @ Somersett	LDP05-07892	Odyssey (Sht G-1, G-3)	Y			Stantec 12/21/2006	304	**1**	
	134	2H @ Somersett	LDP05-07892	Odyssey (Sht G-1, G-3)	Y			Stantec 12/21/2006	134	**2 (U)**	**9**
	135	2H @ Somersett	LDP05-07892	Odyssey (Sht G-1, G-3)	Y			Stantec 12/21/2006	334	**2 (L)**	**9**
	136	2H @ Somersett	LDP05-07892	Odyssey (Sht G-1, G-3)	Y			Stantec 12/21/2006	62	**1**	
	137	2H @ Somersett	LDP05-07892	Odyssey (Sht G-1, G-3)	Y			Stantec 12/21/2006	225	**2 (L)**	**6-9**
	138	2H @ Somersett	LDP05-07892	Odyssey (Sht G-1, G-3)	Y			Stantec 12/21/2006	411	**2 (U)**	**9-11.5**
	139	Wintercreek Unit 1	LDP05-01155	Codega (Sht G-1)	N		Converse 03/12/04	Stantec 12/21/2006	95	**2 (L)**	**6-8**
	140	Wintercreek Unit 1	LDP05-01155	Codega (Sht G-1)	N		Converse 03/12/04	Stantec 12/21/2006	143	**2 (U)**	**6-9**
	141	Area 2 Phase 1 @ Somersett (2B, 2D, G)	LDP03-07575	Sumit (Sht G-2, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	60	**1**	**7**
	142	Area 2 Phase 1 @ Somersett (2B, 2D, G)	LDP03-07575	Sumit (Sht G-2, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	834	**1**	**9-10.5**
8	2	Wintercreek Unit 3	LDP06-06095	Codega (Sht G-3)	N		Converse 03/12/04	Stantec 12/21/2006	30	**1**	**4-5**
	3	SBE @ Somersett	LDP05-06279	Manhard (Sht 13, 44)	Y			Stantec 12/21/2006	176	**1**	**4-7**
	4	Wintercreek Unit 3	LDP06-06095	Codega (Sht G-3)	N		Converse 03/12/04	Stantec 12/21/2006	76	**1**	**4-6**
	5	Wintercreek Unit 3	LDP06-06095	Codega (Sht G-3)	N		Converse 03/12/04	Stantec 12/21/2006	156	**1**	**7.5**
	6	Wintercreek Unit 3	LDP06-06095	Codega (Sht G-3)	N		Converse 03/12/04	Stantec 12/21/2006	322	**1**	**<10**
	7	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-3)	N		Converse 03/12/04	Stantec 12/21/2006	60	**1**	**<7**
	8	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-4)	N		Converse 03/12/04	Stantec 12/21/2006	190	**1**	**<10**
	9	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-4)	N		Converse 03/12/04	Stantec 12/21/2006	111	**3 (L)**	**4**
	10	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-4)	N		Converse 03/12/04	Stantec 12/21/2006	204	**3 (M)**	**<10**
	11	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-4)	N		Converse 03/12/04	Stantec 12/21/2006	75	**3 (L)**	**<8**
	12	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-4)	N		Converse 03/12/04	Stantec 12/21/2006	466	**3 (U/M)**	**12**
	13	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-4)	N		Converse 03/12/04	Stantec 12/21/2006	288	**3 (L)**	**<12**
	14	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-4)	N		Converse 03/12/04	Stantec 12/21/2006	474	**3 (U)**	**4-5**
	15	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-4)	N		Converse 03/12/04	Stantec 12/21/2006	374	**3 (M)**	**12-15**
	16	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-4)	N		Converse 03/12/04	Stantec 12/21/2006	66	**2 (U)**	**<6**
	17	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-4)	N		Converse 03/12/04	Stantec 12/21/2006	58	**2 (L)**	**1.5-2**
	18	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-4)	N		Converse 03/12/04	Stantec 12/21/2006	95	**1**	**5**
	19	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-4)	N		Converse 03/12/04	Stantec 12/21/2006	195	**2 (U)**	**10**
	20	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-4)	N		Converse 03/12/04	Stantec 12/21/2006	167	**2 (L)**	**8**
	21	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-3)	N		Converse 03/12/04	Stantec 12/21/2006	122	**1**	**6**
	22	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-3)	N		Converse 03/12/04	Stantec 12/21/2006	55	**1**	**6**

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Walls within areas covered which plans show are not to exceed 10 feet in height

The only location where the plans and specifications allowed for a wall that was greater than 10 feet and was confirmed through our field measurements to be greater than 10 feet.

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Rockery Wall Summary Table

AG Map #	Wall ID #	Unit/ Phase Name	Rockery Wall Permit #	Civil Designer (Page #)	Civil Plans have Detail or Cross Sec Y/N	Wall Designer	Geotechnical Report By & Date (Rockery wall rec page #)	Final Rockery Wall Report & Date	Length	Rockery Wall Observed # of Tiers	Rockery Wall Field Measured Max. Height (ft)
9	31	SBE @ Somersett	LDP05-06279	Manhard (Sht 15, 44)	Y		CME 10/17/14 & Stantec 07/05/05 (pg 8, 9, 25, 26)	Stantec 12/21/2006	14	**1**	**12**
	32	SBE @ Somersett	LDP05-06279	Manhard (Sht 15, 44)	Y		CME 10/17/14 & Stantec 07/05/05 (pg 8, 9, 25, 26)	Stantec 12/21/2006	1200	**3 (U)**	**12**
	33	SBE @ Somersett	LDP05-06279	Manhard (Sht 15, 44)	Y		CME 10/17/14 & Stantec 07/05/05 (pg 8, 9, 25, 26)	Stantec 12/21/2006	1047	**3 (M)**	**6**
	34	SBE @ Somersett	LDP05-06279	Manhard (Sht 15, 44)	Y		CME 10/17/14 & Stantec 07/05/05 (pg 8, 9, 25, 26)	Stantec 12/21/2006	755	**3 (L)**	**5-6**
10	23	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-3)	N		Converse 03/12/04	Stantec 12/21/2006	112	**1**	**4**
	24	Somersett 2F	LDP04-06819	Odyssey (Sht G-2)	Y	Haran Fricke	Summit 07/22/04	Stantec 11/15/2006	226	**3 (L)**	**12-15**
	25	Somersett 2F	LDP04-06819	Odyssey (Sht G-2)	Y	Haran Fricke	Summit 07/22/04	Stantec 11/15/2006	223	**3 (U)**	**12-15**
	26	Somersett 2F	LDP04-06819	Odyssey (Sht G-2)	Y	Haran Fricke	Summit 07/22/04	Stantec 11/15/2006	335	**3 (M)**	**12**
	27	Somersett 2F	LDP04-06819	Odyssey (Sht G-2)	Y	Haran Fricke	Summit 07/22/04	Stantec 11/15/2006	335	**2 (L)**	**12**
	28	Somersett 2F	LDP04-06819	Odyssey (Sht G-2)	Y	Haran Fricke	Summit 07/22/04	Stantec 11/15/2006	468	**2 (U)**	**12**
	29	Somersett 2E	LDP04-10805	Manhard (Sht 15) Revised 5/17	Y	Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	339	**1**	**6-8**
	30	Somersett 2F	LDP04-06819	Odyssey (Sht G-3)	Y	Haran Fricke	Summit 07/22/04	Stantec 11/15/2006	223	**1**	**5**
	35	Somersett 2E	LDP04-10805	Manhard (Sht 18) Revised 5/17	Y	Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	82	**2 (L)**	**10**
	36	Somersett 2E	LDP04-10805	Manhard (Sht 17 & 18) Revised 5/17	Y	Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	187	**2 (U)**	**8-10**
	37	Somersett 2E	LDP04-10805	Manhard (Sht 17) Revised 5/17	Y	Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	137	**1**	**4-5**
	38	Somersett 2E	LDP04-10805	Manhard (Sht 17) Revised 5/17		Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	214	**1**	**8**
	39	Somersett 2E	LDP04-10805	Manhard (Sht 16) Revised 5/17		Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	94	**1**	**5-6**
	40	Somersett 2E	LDP04-10805	Manhard (Sht 17 & 18) Revised 5/17	Y	Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	685	**3 (M)**	**12-15**
	41	Somersett 2E	LDP04-10805	Manhard (Sht 17) Revised 5/17	Y	Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	596	**3 (U)**	**2-10**
	109	Somersett 2E	LDP04-10805	Manhard (Sht 17 & 18) Revised 5/17	Y	Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	672	**3 (L)**	**10-12**
	42	Somersett 2F	LDP04-06819	Odyssey (Sht G-1)	Y	Haran Fricke	Summit 07/22/04	Stantec 11/15/2006	139	**1**	**2-8**
	110	Somersett 2E	LDP04-10805	Manhard (Sht 14) Revised 5/17	Y	Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	288	**3 (U)**	**12**
	111	Somersett 2E	LDP04-10805	Manhard (Sht 14) Revised 5/17	Y	Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	278	**3 (M)**	**10-12**
	112	Somersett 2E	LDP04-10805	Manhard (Sht 14) Revised 5/17	Y	Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	261	**3 (L)**	**12**
	144	Somersett 2F	LDP04-06819	Odyssey (Sht G-1, G-2)	N	Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	1226	**2 (U)**	**8-10**
	145	Somersett 2F	LDP04-06819	Odyssey (Sht G-1, G-2)	N	Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	1476	**2 (L)**	**10-15**
	1007	Wintercreek Unit 2	LDP05-01155	Codega (Sht G-3)	N		Converse 03/12/04	Stantec 12/21/2006	50	**1**	**4**
	1008	Somersett Area 2, Phase 1 (2B, 2D, 2G)	LDP03-07575	Summit (Sht G-5)	Y	Harlan Fricke	Summit 07/22/04	Stantec 12/21/2006	105	**1**	**6**
	1009	Somersett 2E	LDP04-10805	Manhard (Sht 13)	N	Harlan Fricke	Summit 07/22/04	Stantec 11/15/2006	285	**1**	**6-8**

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Rockery Wall Summary Table

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11	86	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-4)		Harlan Fricke			49	**1**	**2-3**
	87	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-4)		Harlan Fricke			111	**1**	**2-3**
	88	2I @ Somersett	LDP04-04446	Summit (Sht D-5)	N			Stantec 11/28/2006	263	**1**	**8-10**
	89	2I @ Somersett	LDP04-04446	Summit (Sht D-5 & D-6)	N			Stantec 11/28/2006	376	**2 (L)**	**2-12**
	90	2I @ Somersett	LDP04-04446	Summit (Sht D-5 & D-6)	N			Stantec 11/28/2006	546	**2 (U)**	**12**
	91	2I @ Somersett	LDP04-04446	Summit (Sht D-5 & D-6)	N			Stantec 11/28/2006	89	**1**	**3-6**
	92	2I @ Somersett	LDP04-04446	Summit (Sht D-5 & D-6)	N			Stantec 11/28/2006	152	**2 (L)**	**8-12**
	93	2I @ Somersett	LDP04-04446	Summit (Sht D-5 & D-6)	N			Stantec 11/28/2006	200	**2 (L)**	**6-10**
	94	2I @ Somersett	LDP04-04446	Summit (Sht D-5 & D-6)	N			Stantec 11/28/2006	448	**2 (U)**	**8-12**
	143	Area 2, Phase 1 @ Somersett?							46	**1**	**1-2**
	170	2I @ Somersett	LDP04-04446	Summit (Sht D-6)	N			Stantec 11/28/2006	137	**3 (L)**	**5-10**
	171	2I @ Somersett	LDP04-04446	Summit (Sht D-6)	N			Stantec 11/28/2006	432	**3 (M)**	**8-10**
	172	2I @ Somersett	LDP04-04446	Summit (Sht D-6)	N			Stantec 11/28/2006	499	**3 (U)**	**6-12**
	173	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-4)		Harlan Fricke			75	**1**	**3-12**
	174	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-1)	N			Stantec 12/21/2006	126	**1**	**4-10**
	175	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-1)	N			Stantec 12/21/2006	108	**1**	**4-6**
	176	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-1)	N			Stantec 12/21/2006	113	**1**	**3-6**
12	304	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	230	**1**	**5-6**
	305	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-4, D-6)	N			Stantec 12/21/2006	122	**2 (L)**	**5-6**
	306	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-4, D-6)	N			Stantec 12/21/2006	388	**2 (U)**	**6-8**
	313	4A @ Somersett?							215	**1**	**6-8**
	1010	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-4, D-6)	N			Stantec 12/21/2006		**1**	**10**
13	95	3B @ Somersett	LDP03-02461	Summit (Sht G-1, G-2, D-3)	N			Stantec 12/21/2006	478	**1**	**6-7?**
	162	3C @ Somersett	LDP04-01402	Odyssey (G-2)	Y	Michael "Tony" Regan SE	Summit 02/20/03	Stantec 12/21/2006	45	**1**	**4**
	163	3C @ Somersett	LDP04-01402	Odyssey (G-2)	Y	Michael "Tony" Regan SE	Summit 02/20/03	Stantec 12/21/2006	104	**1**	**4**
	164	3C @ Somersett	LDP04-01402	Odyssey (G-2)	Y	Michael "Tony" Regan SE	Summit 02/20/03	Stantec 12/21/2006	236	**1**	**8-9**
	165	3C @ Somersett	LDP04-01402	Odyssey (G-2)	Y	Michael "Tony" Regan SE	Summit 02/20/03	Stantec 12/21/2006	387	**1**	**2-10**
	177	3C @ Somersett	LDP04-01402	Odyssey (G-2)	Y	Michael "Tony" Regan SE	Summit 02/20/03	Stantec 12/21/2006	182	**2 (L)**	**8-12**
	178	3C @ Somersett	LDP04-01402	Odyssey (G-2)	Y	Michael "Tony" Regan SE	Summit 02/20/03	Stantec 12/21/2006	392	**2 (U)**	**2-10**
	1011	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-3)		Harlan Fricke		Stantec 12/21/2006	265	**2 (L)**	**8-12**
	179	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	86	**1**	**3-6**
	180	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	77	**1**	**3-5**
	181	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	217	**1**	**3-5**
	182	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	149	**1**	**5-8**
	183	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			394	**1**	**8-10**
	298	3A @ Somersett	LDP03-04267	Summit (Sht D-3)	Y			Stantec 12/21/2006	193	**1**	**6-8**
	299	3C @ Somersett	LDP04-01402	Odyssey (Sht G-2)	Y	Michael "Tony" Regan SE	Summit 02/20/03	Stantec 12/21/2006	112	**1**	**5-10**
	300	3C @ Somersett	LDP04-01402	Odyssey (Sht G-2)	Y	Michael "Tony" Regan SE	Summit 02/20/03	Stantec 12/21/2006	157	**1**	**4-8**
	301	3C @ Somersett	LDP04-01402	Odyssey (Sht G-2)	Y	Michael "Tony" Regan SE	Summit 02/20/03	Stantec 12/21/2006	387	**2 (L)**	**8-10**
	302	3C @ Somersett	LDP04-01402	Odyssey (Sht G-2)	Y	Michael "Tony" Regan SE	Summit 02/20/03	Stantec 12/21/2006	321	**2 (U)**	**10-12**
	303	3C @ Somersett	LDP04-01402	Odyssey (Sht G-2)	Y	Michael "Tony" Regan SE	Summit 02/20/03	Stantec 12/21/2006	103	**1**	**6-8**

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14	147	2A @ Somersett	LDP03-05141	Summit (Sht G-1)	Y	Harlan Fricke		Stantec 12/21/2006	85	**1**	**3-8**
	191	2A @ Somersett	LDP03-05141	Summit (Sht G-1)	Y	Harlan Fricke		Stantec 12/21/2006	92	**1**	**8**
15	146	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-0775	Summit (Sht G-7, G-8, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	257	**1**	**8-10**
	155	2C @ Somersett	LDP04-10620	Stantec (Sht GP-1)	Y*		Summit 02/27/03		277	**2 (U)**	**10-12**
	156	2C @ Somersett	LDP04-10620	Stantec (Sht GP-1)	Y*		Summit 02/27/03		256	**2 (L)**	**6**
	157	2C @ Somersett	LDP04-10620	Stantec (Sht GP-1)	Y*		Summit 02/27/03		248	**1**	**4-6**
⇨	**166**	**Area 2, Phase 1 @ Somersett (2B, 2D, 2G)**	**LDP03-07575**	**Summit (Sht G-7, G-8, D-2)**	**Y**	**Harlan Fricke**		**Stantec 12/21/2006**	**347**	**1**	**10-12**
	167	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-07575	Summit (Sht G-8, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	118	**2 (U)**	**6**
	168	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-07575	Summit (Sht G-8, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	191	**2 (L)**	**6**
	169								257	**1**	**8-10**
16	218								395	**1**	**5-8**
	219								287	**1**	**8-15**
	220								623	**1**	**2-18**
	221								201	**1**	**4-10**
17	192								115	**1**	**3**
	193	Somersett Parkway Ph 3A	LDP03-02288	Summit (G-1, G-3, D-4)	Y*			Stantec 12/21/2006	18	**1**	**1**
	194	Somersett Parkway Ph 3A	LDP03-02288	Summit (G-1, G-3, D-4)	Y*			Stantec 12/21/2006	18	**1**	**12**
	195	Somersett Parkway Ph 3A	LDP03-02288	Summit (G-1, G-3, D-4)	Y*			Stantec 12/21/2006	14	**1**	**10**
	213	Willow Ranch Ph 1		Summit (G-4, D-4)	Y*			Stantec 12/21/2006	158	**1**	**3**
	214	Willow Ranch Ph 1		Summit (G-3, D-4)	Y*			Stantec 12/21/2006	148	**2 (U)**	**12**
	215	Willow Ranch Ph 1		Summit (G-3, D-4)	Y*			Stantec 12/21/2006	166	**2 (L)**	**10-12**
	216	Willow Ranch Ph 1		Summit (G-3, D-4)	Y*			Stantec 12/21/2006	449	**1**	**3**
	217	Willow Ranch Ph 1		Summit (G-3, D-4)	Y*			Stantec 12/21/2006	51	**1**	**6**
18	278	Somersett Parkway Ph 3A	LDP03-02288	Summit (G-1, G-3, D-4)	Y*			Stantec 12/21/2006	236	**1**	**10-12**
	280	Somersett Parkway Ph 3A	LDP03-02288	Summit (G-1, G-3, D-4)	Y*			Stantec 12/21/2006	99	**6 (U5)**	**10-12**
	281	Somersett Parkway Ph 3A	LDP03-02288	Summit (G-1, G-3, D-4)	Y*			Stantec 12/21/2006	87	**6 (U6)**	**8-15**
	282	Somersett Parkway Ph 3A	LDP03-02288	Summit (G-1, G-3, D-4)	Y*			Stantec 12/21/2006	167	**6 (M4)**	**10**
	283	Somersett Parkway Ph 3A	LDP03-02288	Summit (G-1, G-3, D-4)	Y*			Stantec 12/21/2006	226	**6 (M3)**	**10-18**
	284	Somersett Parkway Ph 3A	LDP03-02288	Summit (G-1, G-3, D-4)	Y*			Stantec 12/21/2006	213	**6 (L2)**	**10-12**
	285	Somersett Parkway Ph 3A	LDP03-02288	Summit (G-1, G-3, D-4)	Y*			Stantec 12/21/2006	175	**6 (L1)**	**5-12**
	286	Somersett Parkway Ph 3A	LDP03-02288	Summit (G-1, G-3, D-4)	Y*			Stantec 12/21/2006	27	**1**	**3-8**

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Rockery Wall Summary Table

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19	148	3F @ Somersett	LDP03-04002	Summit (G-1)	N			Nortech 10/02/2006	121	**1**	**5-7**
	149	3G @ Somersett	LDP03-11535	Summit (G-1)	N			Stantec 11/30/2006	49	**2 (L)**	**7**
	150	3G @ Somersett	LDP03-11535	Summit (G-1)	N			Stantec 11/30/2006	75	**2 (U)**	**6**
	151	3G @ Somersett	LDP03-11535	Summit (G-1)	N			Stantec 11/30/2006	69	**2 (U)**	**4-5**
	152	3G @ Somersett	LDP03-11535	Summit (G-1)	N			Stantec 11/30/2006	16	**2 (L)**	**8**
	153	3G @ Somersett	LDP03-11535	Summit (G-1)	N			Stantec 11/30/2006	20	**2 (L)**	**8**
	184	3A @ Somersett	LDP03-04267	Summit (Sht D-3)	Y			Stantec 12/21/2006	19	**2 (U)**	**8**
	185	3A @ Somersett	LDP03-04267	Summit (Sht D-3)	Y			Stantec 12/21/2006	23	**2 (L)**	**6**
	186	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			86	**1**	**6-7**
	187	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			102	**1**	**3-4**
	188	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			61	**1**	**5**
	189	3A @ Somersett	LDP03-04267	Summit (Sht G-1, D-3)	Y			Stantec 12/21/2006	69	**2 (L)**	**6-12**
	190	3A @ Somersett	LDP03-04267	Summit (Sht G-1, D-3)	Y			Stantec 12/21/2006	62	**2 (U)**	**7**
	287	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			115	**1**	**5-8**
	289	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			53	**1**	**8**
	288	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			115	**3 (L)**	**5-8**
	290	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			50	**3 (U)**	**3**
	291	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			451	**3 (M)**	**6-10**
	292	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			56	**1**	**7-8**
	293	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			18	**1**	**4**
	294	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			24	**1**	**6**
	295	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			150	**1**	**10-12**
	296	Somersett Championship Golf Course	LDP03-02938	Summit (Sht G-2)		Harlan Fricke			186	**1**	**6-7**
	297	3A @ Somersett?							155	**1**	**8**
	1901	3G @ Somersett	LDP03-11535	Summit (G-1)	N			Stantec 11/30/2006	118	**1**	**3-4**
20	97	Canyon Pines 1 & 2	LDP03-07175 & LDP04-11630	Summit (Sht G-1 & D-4)	Y	Nortech	Summit 09/16/2002	Nortech 10/02/2006	1021	**1**	**3-6**
	98	Canyon Pines 2	LDP04-11630	Summit (Sht G-1, D-4)	Y	Nortech	Summit 09/16/2002	Nortech 10/02/2006	63	**1**	**1-4**
	99	Canyon Pines 2	LDP04-11630	Summit (Sht G-2, D-4)	Y	Nortech	Summit 09/16/2002	Nortech 10/02/2006	48	**1**	**1-3**
	307	Area 3, Ph 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	327	**1**	**4-10**
	308	Area 3, Ph 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	243	**1**	**6**
	309	Area 3, Ph 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	152	**1**	**4-8**
	1902							Stantec 12/21/2006	78	**1**	**6**
	2001							Stantec 12/21/2006	78	**1**	**8**
	2002	Area 3, Ph 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	374	**2 (L)**	**10**
	2003	Area 3, Ph 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	235	**2 (U)**	**10**
	2004	Area 3, Ph 1 @ Somersett	LDP03-11535	Summit (Sht D-8)	Y			Stantec 12/21/2006	95	**3 (L)**	**6-8**
	2005	Area 3, Ph 1 @ Somersett	LDP03-11535	Summit (Sht D-8)	Y			Stantec 12/21/2006	86	**3 (M)**	**3**
	2006	Area 3, Ph 1 @ Somersett	LDP03-11535	Summit (Sht D-8)	Y			Stantec 12/21/2006	75	**3 (U)**	**6**
	2007	Area 3, Ph 1 @ Somersett	LDP03-11535	?				Stantec 12/21/2006	78	**1**	**5**

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21	96	Canyon Pines - Phase 2	LDP04-11630	Summit G-2 of 35	Y	Nortech	Summit 09/16/2002	Nortech 10/02/2006	238	**1**	**2-6**
	100	Canyon Pines - Phase 2	LDP04-11630	Summit G-2 of 35	Y	Nortech	Summit 09/16/2002	Nortech 10/02/2006	16	**1**	**1**
	101	Canyon Pines - Phase 2	LDP04-11630	Summit G-2 of 35	Y	Nortech	Summit 09/16/2002	Nortech 10/02/2006	50	**1**	**2-4**
	102	Canyon Pines - Phase 2	LDP04-11630	Summit G-2 of 35	Y	Nortech	Summit 09/16/2002	Nortech 10/02/2006	26	**1**	**2**
	103	Canyon Pines - Phase 3	LDP05-08164	Summit G-1 of 33	Y	Nortech	Summit 09/16/2002	Nortech 10/02/2006	255	**1**	**4-8**
	310	Area 3, Ph 1 @ Somersett	LDP03-11535	Summit G-6/D-8 of 89	Y			Stantec 12/21/2006	311	**1**	**8**
	311	Area 3, Ph 1 @ Somersett	LDP03-11535	Summit G-7/D-9 of 89	Y			Stantec 12/21/2006	187	**1**	**8**
	312	Area 3, Ph 1 @ Somersett	LDP03-11535	Summit G-7 of 89 Rev 7/7	Y			Stantec 12/21/2006	100	**1**	**8**
	2101	Championship Golf Course Plans?							200	**1**	**8-10**
22	154	Somersett Championship Golf Course	LDP03-02938	Summit (Sht 2)		Harlan Fricke			94	**1**	**6**
	196	Somersett Championship Golf Course	LDP03-02938	Summit (Sht 2)		Harlan Fricke			73	**1**	**2**
★	**197**	**Autumn Ridge 1 @ Somersett**	**LDP02-00206**	**Summit (G-4, D-3)**	**Y**			**Stantec 12/21/2006**	**191**	**1**	**10-12**
⇒	**198**	**Autumn Ridge 1 @ Somersett**	**LDP02-00206**	**Summit (G-4, D-3)**	**Y**			**Stantec 12/21/2006**	**41**	**1**	**12**
	199	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-4, D-3)	Y			Stantec 12/21/2006	398	**1**	**5**
	200	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006	62	**3 (L)**	**8**
⇒	**201**	**Autumn Ridge 1 @ Somersett**	**LDP02-00206**	**Summit (G-2, D-3)**	**Y**			**Stantec 12/21/2006**	**103**	**3 (M)**	**12**
	202	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006	124	**3 (U)**	**6**
	203	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-3, D-3)	Y			Stantec 12/21/2006	50	**2 (L)**	**8**
	204	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-3, D-3)	Y			Stantec 12/21/2006	78	**2 (U)**	**8**
	205	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006		**1**	**MASONRY WALL**
	206	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006	72	**1**	**5-6**
	207	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	148	**2 (U)**	**5-6**
	208	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	39	**2 (L)**	**8**
	209	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	46	**1**	**10**
	210	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	52	**1**	**10**
	211	Somersett Championship Golf Course	LDP03-02938	Summit (Sht 2)		Harlan Fricke			59	**1**	**8**
	212	Somersett Championship Golf Course	LDP03-02938	Summit (Sht 2)		Harlan Fricke			102	**1**	**4**
	273	Somersett Championship Golf Course	LDP03-02938	Summit (Sht 2)		Harlan Fricke			53	**1**	**10**
	275	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (Sht G-1, D-3)	Y			Stantec 12/21/2006	110	**1**	**4.5**
	276	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (Sht G-1, D-3)	Y			Stantec 12/21/2006	236	**1**	**2.5**
	277	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (Sht G-1, D-2)	Y			Stantec 12/21/2006	310	**1**	**5-10**

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23	158	Somersett Towncenter	LDP04-01961	Wood Rogers (G-8, G-9)	N	Wood Rogers	Wood Rogers 11/16/04	Stantec 12/21/2006	84	**2 (U)**	**2**
	159	Somersett Towncenter	LDP04-01961	Wood Rogers (G-8, G-9)	N	Wood Rogers	Wood Rogers 11/16/04	Stantec 12/21/2006	218	**2 (L)**	**2-6**
	222	Somersett Championship Golf Course	LDP03-02938	Summit (Sht 1)		Harlan Fricke		Stantec 12/21/2006	134	**1**	**10**
	223	Somersett Championship Golf Course	LDP03-02938	Summit (Sht 1)		Harlan Fricke		Stantec 12/21/2006	325	**1**	**10**
	224	Morgan Pointe @ Somersett		Summit (Sht G-1, D-2, D-3)	Y		Summit 05/09/2001 (pg 11)	Stantec 12/21/2006	229	**1**	**6-8**
	225	Morgan Pointe @ Somersett		Summit (Sht G-1, D-2, D-3)	Y		Summit 05/09/2001 (pg 11)	Stantec 12/21/2006	97	**1**	**3-6**
	226	Morgan Pointe @ Somersett		Summit (Sht G-1, D-2, D-3)	Y		Summit 05/09/2001 (pg 11)	Stantec 12/21/2006	393	**1**	**6-10**
	227	Morgan Pointe @ Somersett		Summit (Sht G-1, D-2, D-3)	Y		Summit 05/09/2001 (pg 11)	Stantec 12/21/2006	90	**1**	**4-5**
	228	Morgan Pointe @ Somersett		Summit (Sht G-1, D-2, D-3)	Y		Summit 05/09/2001 (pg 11)	Stantec 12/21/2006	214	**1**	**6**
	229	Towncenter Recreational Club		Summit (Sht C-3)	Y*		Summit 10/11/2002 (pg 11)		71	**1**	**3-5**
	230	Towncenter Recreational Club		Summit (Sht C-3)	Y*		Summit 10/11/2002 (pg 11)		33	**1**	**4-5**
	231	Towncenter Recreational Club		Summit (Sht C-3)	Y*		Summit 10/11/2002 (pg 11)		86	**1**	**10**
	232								MASONRY	**1**	**3**
	233	Towncenter Recreational Club		Summit (Sht C-3)	Y*		Summit 10/11/2002 (pg 11)		6	**1**	**2**
	234	Towncenter Recreational Club		Summit (Sht C-3)	Y*		Summit 10/11/2002 (pg 11)		37	**1**	**6**
	235	Towncenter Recreational Club		Summit (Sht C-3)	Y*		Summit 10/11/2002 (pg 11)		77	**1**	**5-8**
	236	Towncenter Recreational Club		Summit (Sht C-3)	Y*		Summit 10/11/2002 (pg 11)		30	**1**	**5**
	237	Towncenter Recreational Club		Summit (Sht C-3)	Y*		Summit 10/11/2002 (pg 11)		356	**1**	**4-5**
	274	Towncenter Recreational Club		Summit (Sht C-3)	Y*		Summit 10/11/2002 (pg 11)		71	**1**	**3-10**
24	160	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006	77	**2 (L)**	**6**
	1000	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006		**2 (U)**	**2-8**
	263	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006	173	**2 (U)**	**6**
	264	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006	221	**2 (L)**	**6-8**
	265	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006	186	**1**	**2-4**
	1001	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006		**2 (L)**	**6-7**
	1002	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006		**2 (U)**	**3-4**
	1003	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006		**1**	**4-8**
	1004	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006		**1**	**6**
25	266	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006	204	**1**	**8**
	267	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006	57	**1**	**5**
	268	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-2, D-4)	Y			Stantec 12/21/2006	589	**1**	**8-10**
	269	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-2, D-4)	Y			Stantec 12/21/2006	158	**1**	**5**
	270	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006	186	**3 (U)**	**6-12**
	271	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006	212	**3 (M)**	**12**
	272	Dakota Ridge @ Somersett	LDP03-07575	Summit (Sht G-1, D-4)	Y			Stantec 12/21/2006	256'	**3 (L)**	**10**

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26	104	Cityside @ Somersett	LDP02-04974	Summit (Sht G-1, D-3)	N	Harlan Fricke ?		Summit 03/18/2003	65	**1**	**5-6**
	105	Cityside @ Somersett	LDP02-04974	Summit (Sht G-1, D-3)	N	Harlan Fricke ?		Summit 03/18/2003	72	**3 (U)**	**6**
	106	Cityside @ Somersett	LDP02-04974	Summit (Sht G-1, D-3)	N	Harlan Fricke ?		Summit 03/18/2003	200	**3 (M)**	**4-8**
	258	Cityside @ Somersett	LDP02-04974	Summit (Sht G-1, D-3)	N	Harlan Fricke ?		Summit 03/18/2003	332	**3 (L)**	**8-10**
	107	Cityside @ Somersett	LDP02-04974	Summit (Sht G-1, D-3)	N	Harlan Fricke ?		Summit 03/18/2003	28	**2 (L)**	**5**
	257	Cityside @ Somersett	LDP02-04974	Summit (Sht G-1, D-3)	N	Harlan Fricke ?		Summit 03/18/2003	134	**2 (U)**	**8-9**
	108	Cityside @ Somersett	LDP02-04974	Summit (Sht G-1, D-3)	N	Harlan Fricke ?		Summit 03/18/2003			**KEYSTONE WALL, N/A**
	250	Riverside @ Somersett	LDP02-07646	Summit (Sht G-1)	N	FPE 12/05/02		Stantec 12/21/2006	101	**1**	**3**
	251	Riverside @ Somersett	LDP02-07646	Summit (Sht G-1)	N	FPE 12/05/02		Stantec 12/21/2006	168	**1**	**8**
	252	Cityside @ Somersett	LDP02-04974	Summit (Sht G-1, D-3)	N	Harlan Fricke ?		Summit 03/18/2003	147	**2 (L)**	**2**
	253	Cityside @ Somersett	LDP02-04974	Summit (Sht G-1, D-3)	N	Harlan Fricke ?		Summit 03/18/2003	130	**2 (U)**	**5-6**
	254	Cityside @ Somersett	LDP02-04974	Summit (Sht G-1, D-3)	N	Harlan Fricke ?		Summit 03/18/2003	378	**1**	**6-12**
	255	Cityside @ Somersett	LDP02-04974	Summit (Sht G-1, D-3)	N	Harlan Fricke ?		Summit 03/18/2003	104	**2 (L)**	**1**
	256	Cityside @ Somersett	LDP02-04974	Summit (Sht G-1, D-3)	N	Harlan Fricke ?		Summit 03/18/2003	96	**2 (U)**	**5.5**
	259	Cityside @ Somersett	LDP02-04974	Summit (Sht G-1, D-3)	N	Harlan Fricke ?		Summit 03/18/2003	150	**1**	**7-8**
	260	Morgan Pointe @ Somersett?							109	**2 (U)**	**6-7**
	261	Morgan Pointe @ Somersett?							146	**2 (L)**	**8-9**
27	249	Ridgeway @ Somersett	LDP02-07646	Summit (Sht D-3)	Y	FPE 12/05/02		Stantec 12/21/2006	204	**1**	**5-6**
	1005	Ridgeway @ Somersett	LDP02-07646	Summit (Sht D-3)	Y	FPE 12/05/02		Stantec 12/21/2006		**1**	**8**
28	161	Northgate 16E?							326	**2 (L)**	**6-10**
	238	Northgate 16E							164	**2 (U)**	**8**
	239	Ridgeway @ Somersett?							49	**2 (L)**	**3-6**
	240	Ridgeway @ Somersett?							48	**2 (L)**	**4-6**
	241	Ridgeway @ Somersett?							470	**2 (U)**	**10-12**
	242	unspecified							33	**1**	**3**
	243	unspecified							57	**1**	**4**
	244	unspecified							46	**1**	**4-4.5**
	245	unspecified							47	**1**	**4-4.5**
	246	Ridgeway @ Somersett?							36	**1**	**3.5-4**
	247	Ridgeway @ Somersett?							37	**1**	**4**
	248	Ridgeway @ Somersett?							37	**1**	**4**
	)03 or 100	Northgate 16C?								**1**	**12**
29	3001	Sierra Canyon @ Somersett Vg 3?					Kleinfelder 10/31/03 (pg 26, 27)			**3 (L)**	**6-9**
	3002	Sierra Canyon @ Somersett Vg 3?					Kleinfelder 10/31/03 (pg 26, 27)			**3 (M)**	**2.5-5**
	3003	Sierra Canyon @ Somersett Vg 3?					Kleinfelder 10/31/03 (pg 26, 27)			**3 (U)**	**6-8**
	3004	Sierra Canyon @ Somersett Vg 3?					Kleinfelder 10/31/03 (pg 26, 27)			**1**	**6-9**
	3005	Sierra Canyon @ Somersett Vg 1?					Kleinfelder 10/31/03 (pg 26, 27)			**1**	**5-6**
	3006	Sierra Canyon @ Somersett Vg 1?					Kleinfelder 10/31/03 (pg 26, 27)			**1**	**6-9**
	3007	Sierra Canyon @ Somersett Vg 1, 5F		Makay & Stomps (Shts C-2, C-3)	N		Kleinfelder 10/31/03 (pg 26, 27)			**1**	**6**
	3008	Sierra Canyon @ Somersett Vg 1, 5F		Makay & Stomps (Shts C-2, C-3)	N		Kleinfelder 10/31/03 (pg 26, 27)			**1**	**6-8**

374 Total walls field mapped
171 Rockery Walls with at least 2 Tiers
67 Rockery Wall Height Measured to be Greater than 10 feet

Areas covered by letter by Mr. Theodore Chrissinger of HCKV to Mr. John Samberg of WRSSR dated 05/07/19 which points out Mr. Harlan Fricke's wall design is higher than 10 feet. PSOA 07922-7931 (Area 2, Phase 1), 1354-1364 (Area 3, Phase 1), 7162-7166 Autumn Ridge)

Walls within areas covered which plans show are not to exceed 10 feet in height

The only location where the plans and specifications allowed for a wall that was greater than 10 feet and was confirmed through our field measurements to be greater than 10 feet.

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GEOTECHNICAL ENGINEERING / MATERIALS TESTING & INSPECTION

Rockery Wall Summary Table

AG Map #	Wall ID #	Unit/ Phase Name	Rockery Wall Permit #	Civil Designer (Page #)	Civil Plans have Detail or Cross Sec Y/N	Wall Designer	Geotechnical Report By & Date (Rockery wall rec page #)	Final Rockery Wall Report & Date	Length	Rockery Wall Observed # of Tiers	Rockery Wall Field Measured Max. Height (ft)
30	3009	Somersett Village 5D		Wood Rogers (G-8, G-9)				Stantec 12/21/2006		1	4.5
	3010	Somersett Village 5D						Stantec 12/21/2006		3 (L)	7
	3011	Somersett Village 5D						Stantec 12/21/2006		3 (U)	9-10
	3012	Somersett Village 5D						Stantec 12/21/2006		3 (M)	7.5
31	3013	Sierra Canyon @ Somersett VG 5	LDP04-09239	Makay & Stomps (C17)	Y	Kleinfelder 9/8/04 rev 2/21/05	Kleinfelder 07/06/04 (pg 24, 25)	Kleinfelder 11/03/06		3 (U)	6-8
	3014	Sierra Canyon @ Somersett VG 5	LDP04-09239	Makay & Stomps (C17)	Y	Kleinfelder 9/8/04 rev 2/21/05	Kleinfelder 07/06/04 (pg 24, 25)	Kleinfelder 11/03/06		3 (M)	7-10
	3015	Sierra Canyon @ Somersett VG 5	LDP04-09239	Makay & Stomps (C17)	Y	Kleinfelder 9/8/04 rev 2/21/05	Kleinfelder 07/06/04 (pg 24, 25)	Kleinfelder 11/03/06		3 (L)	6
32	3016	Sierra Canyon @ Somersett VG 8	LDP05-01056	Makay & Stomps (C2, C8 & C9)	Y	Kleinfelder 1/17/05 rev 2/21/05	Kleinfelder 07/06/04 (pg 24, 25)			2 (U)	7-9
	3017	Sierra Canyon @ Somersett VG 8	LDP05-01056	Makay & Stomps (C2, C8 & C9)	Y	Kleinfelder 1/17/05 rev 2/21/05	Kleinfelder 07/06/04 (pg 24, 25)			2 (L)	6
	3018	Sierra Canyon @ Somersett VG 8	LDP05-01056	Makay & Stomps (C2, C8 & C9)	Y	Kleinfelder 1/17/05 rev 2/21/05	Kleinfelder 07/06/04 (pg 24, 25)			2 (L)	5
	3019	Sierra Canyon @ Somersett VG 8	LDP05-01056	Makay & Stomps (C2, C8 & C9)	Y	Kleinfelder 1/17/05 rev 2/21/05	Kleinfelder 07/06/04 (pg 24, 25)			2 (L)	8
	3020	Sierra Canyon @ Somersett VG 8	LDP05-01056	Makay & Stomps (C2, C8 & C9)	Y	Kleinfelder 1/17/05 rev 2/21/05	Kleinfelder 07/06/04 (pg 24, 25)			3 (U)	7.5-10
	3021	Sierra Canyon @ Somersett VG 8	LDP05-01056	Makay & Stomps (C2, C8 & C9)	Y	Kleinfelder 1/17/05 rev 2/21/05	Kleinfelder 07/06/04 (pg 24, 25)			3 (M)	7
	3022	Sierra Canyon @ Somersett VG 8	LDP05-01056	Makay & Stomps (C2, C8 & C9)	Y	Kleinfelder 1/17/05 rev 2/21/05	Kleinfelder 07/06/04 (pg 24, 25)			3 (L)	8
	3023	Sierra Canyon @ Somersett VG 8	LDP05-01056	Makay & Stomps (C2, C9)	Y	Kleinfelder 1/17/05 rev 2/21/05	Kleinfelder 07/06/04 (pg 24, 25)			2 (U)	7-9
	3025	Sierra Canyon @ Somersett VG 8	LDP05-01056	Makay & Stomps (C2, C9)	Y	Kleinfelder 1/17/05 rev 2/21/05	Kleinfelder 07/06/04 (pg 24, 25)			2 (L)	3.8
	3024	Sierra Canyon @ Somersett VG 11C	LDP05-01056							1	4-6.5
	3026	Sierra Canyon @ Somersett VG 8	LDP05-01056	Makay & Stomps (C2, C9)	Y	Kleinfelder 1/17/05 rev 2/21/05	Kleinfelder 07/06/04 (pg 24, 25)			1	4-8
										171	67

374 Total walls field mapped
171 Rockery Walls with at least 2 Tiers
67 Rockery Wall Height Measured to be Greater than 10 feet
Areas covered by letter by Mr. Theodore Chrissinger of HCKV to Mr. John Samberg of WRSSR dated 05/07/19 which points out Mr. Harlan Fricke's wall design is higher than 10 feet. PSOA 07922-7931 (Area 2, Phase 1), 1354-1364 (Area 3, Phase 1), 7162-7166 Autumn Ridge)
Walls within areas covered which plans show are not to exceed 10 feet in height
The only location where the plans and specifications allowed for a wall that was greater than 10 feet and was confirmed through our field measurements to be greater than 10 feet.

EXHIBIT 10

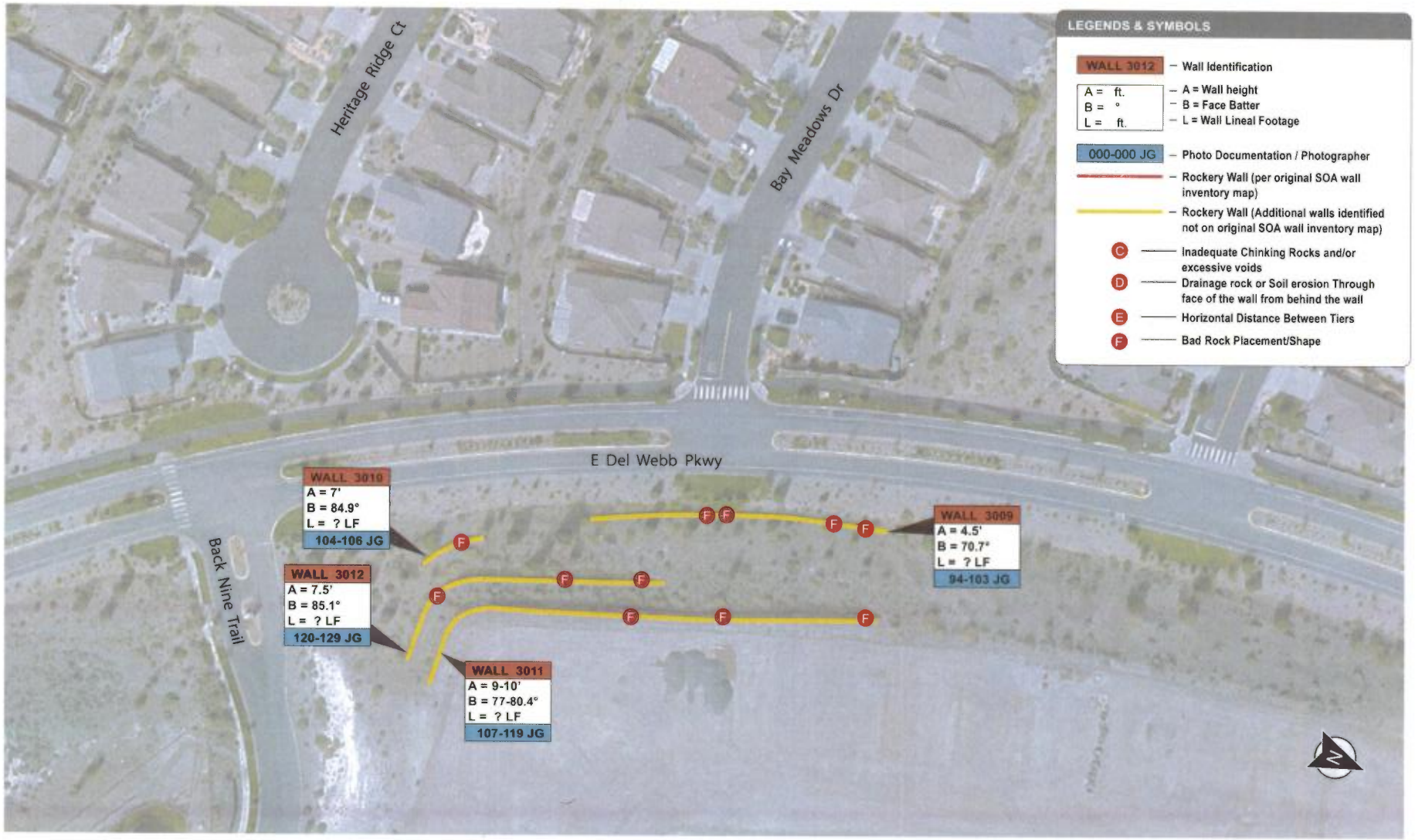
EXHIBIT 10

AMERICAN GEOTECHNICAL, INC.
22725 OLD CANAL ROAD, YORBA LINDA, CA 92887
(714) 685-3900 (714) 685-3909
www.amgt.com

TITLE:			
SITE DOCUMENTATION PLAN SOMERSETT ROCKERY WALL			
SCALE:	DATE:	FILE NO.:	MAP
As Shown	Oct 2018	40789-01	29

AA000813

PSOA021323



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TITLE: SITE DOCUMENTATION PLAN
SOMERSETT ROCKERY WALL

SCALE:	DATE:	FILE NO.:
As Shown	Oct 2018	40789-01

MAP 30

AA000814

PSOA021372

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TITLE: SITE DOCUMENTATION PLAN
SOMERSETT ROCKERY WALL

SCALE:	DATE:	FILE NO.:
As Shown	Oct 2018	40789-01

MAP 31

AA000815

PSOA021392

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TITLE:			
SITE DOCUMENTATION PLAN SOMERSETT ROCKERY WALL			MAP 32
SCALE: As Shown	DATE: Oct 2018	FILE NO.: 40789-01	

AA000816

PSOA021417

EXHIBIT 39

EXHIBIT 39

Harlan Fricke Consulting
430 So. Rock Blvd.
Sparks, NV 89431

Specifications and Stability Calculations for Dry Stacked Rock Walls

Area 2, Phase 1 Grading @ Somersett
Reno, Nevada

Prepared for:

PARSONS BRINCKERHOFF

P. O. Box 40694
Reno, Nevada 89504

September 2, 2003

PSOA007922

AA000818

Harlan Fricke Consulting
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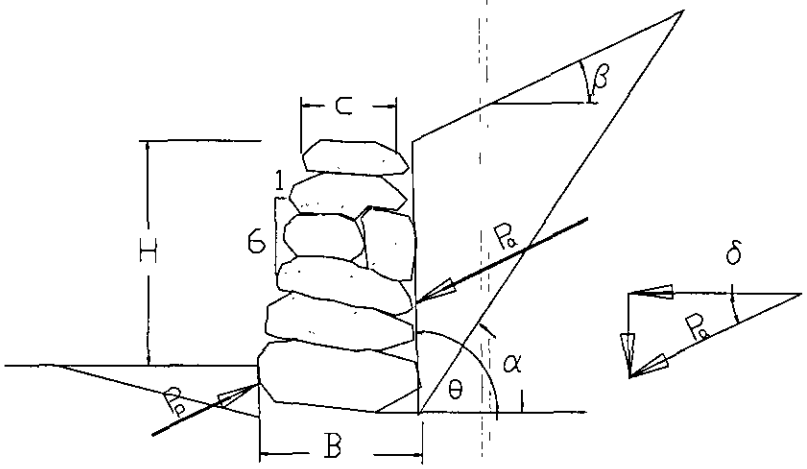
PROJECT Area 2-Phase1 @ Somersett
JOB NO. 1001.01 SHEET 1 OF 9 SHEETS
CALCULATED BY HFF DATE 9/03
CHECKED BY DATE



φ = angle of internal friction of soil

α = angle of failure wedge with horizontal

β = backslope angle

γ = unit wieght of soil

θ = angle of back of wall w/ horizontal

δ = angle of wall friction

K_a coefficient of active pressure

P_a= total lateral force on wall

K_p coefficient of passive pressure

P_p= total resisting force on wall

Reference: Retaining and Flood Walls USACOE / ASCE

$$P_a = 1/2\ \gamma \frac{1}{\sin(\theta)\cos(\delta)} K_a h^2$$

$$K_a = \frac{\sin^2(\theta+\varphi)\cos(\delta)}{\sin(\theta)\sin(\theta-\delta)\left[1+\sqrt{\frac{\sin(\varphi+\delta)\sin(\varphi-\beta)}{\sin(\theta-\delta)\sin(\theta+\beta)}}\right]^2}$$

$$P_p = 1/2\ \gamma \frac{1}{\sin(\theta)\cos(\delta)} K_p h^2$$

$$K_p = \frac{\cos^2(\varphi)}{\left[1-\sqrt{\frac{\sin(\varphi)\sin(\varphi+\beta)}{\cos(\beta)}}\right]^2}$$

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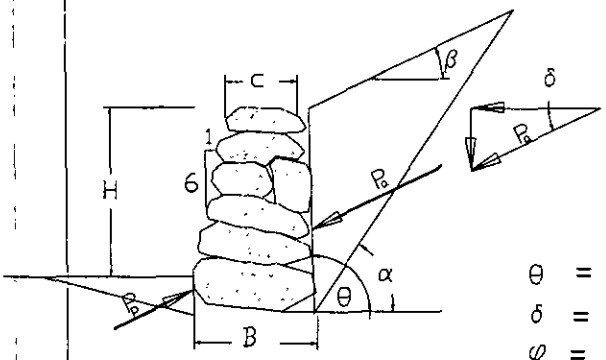
PROJECT Area 2-Phase1 @ Somersett
JOB NO. 1001.01 SHEET 2 OF 9 SHEETS
CALCULATED BY HFF DATE 9/03
CHECKED BY DATE



ASSUMPTIONS

θ = assumed to be 90 deg. for passive case
δ = assumed to be 0 deg. for passive case
φ = 35 deg.
γ = 115 pcf
$\delta = 2/3\,\varphi$
μ = 0.45
β = 26.6 deg.
q_{max} = 2500 psf

$$K_a = \frac{\sin^2((125)\quad \cos(23)}{\sin(90)\sin(67)\left[1+\sqrt{\frac{\sin(58)}{\sin(67)}\quad\frac{\sin(8.4)}{\sin(116.2)}}\right]^2} = .35$$

$$P_a = 1/2(115\ \text{pcf})\ \frac{1}{\sin(90)\ \cos(23)}\ (.35)(14)^2 = 4285\#$$

$$K_p = \frac{\cos^2(35)}{\left[1-\sqrt{\frac{\sin(35)\sin(35)}{\cos(0)}}\right]^2} = 3.69$$

$$P_p = 1/2\,(115\ \text{pcf})(3.69)(2)^2 = 848\#$$

$$P_{ah} = (4285\#)\cos(23) = 3944\#$$

$$P_{av} = (4285\#)\ \sin(23) = 1674\#$$

PSOA007924

AA000820

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PROJECT Area 2-Phase1 @ Somersett
JOB NO. 1001.01 SHEET 3 OF 9 SHEETS
CALCULATED BY HFF DATE 9/03
CHECKED BY DATE

H=12'

SLIDING;

Try C=4.0', B=6.8' Batter=1h:5v

P_a =4285#, P_{ah} = 3944#, P_{av} = 1674#

$W=C*H*\gamma + 1/2(B-C)H*\gamma$ W=(4.0')(14')(165pcf)(.85)+1/2(6.8'-4.0')(14')(165pcf)(.85) = 10602#

$F = W*\mu + P_{av}*\mu$ F=(10602#)(.45)+(1674#)(.45) + 848# =6372#

$SF = F / P_{ah}$ SF= 6372#/3944# = 1.62 O.K.

OVERTURNING:

OTM = P *H/3 OTM = (3944#)(14'/3)= 18405ft-lbs

RM = W*$\bar{x}$ + P *B + P_{av}*2/3*D RM =(10602#)(4.04')+(1674#)(6.8') + 848#(2/3)=55063ft-lbs

SF= RM / OTM SF= 55063ft-lbs/18405ft-lbs=3.0
O.K.

BEARING:

$q_{allow} = P/A\ (1 \pm (6*e)/B)$ $e=B/2-\bar{x}$ $\bar{x} = \sum M/\sum P$

$\bar{x} = \frac{36658 ft-lb}{12276\#} = 2.99'$ e=3.4'-2.99'=0.41'

q_{allow}=12276#/6.8 (1±(6*.41)/6.8' 1805#±653#=2458#max. O.K.

PSOA007925

AA000821

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PROJECT Area 2-Phase1 @ Somersett
JOB NO. 1001.01 SHEET 4 OF 9 SHEETS
CALCULATED BY HFF DATE 9/03
CHECKED BY DATE

H=10'

SLIDING;

Try C=3.50', B=5.90' Batter=1h:5v

P_a =3148#, P_{ah} = 2898#, P_{av} = 1230#

$W=C*H*\gamma + 1/2(B-C)H*\gamma$ $\quad W=(3.50')(12')(165pcf)(.85)+1/2(5.9'-3.50')(12')(165pcf)(.85) = 7910\#$

$F = W*\mu + P_{av}*\mu$ $\quad F=(7910\#)(.45)+(1230\#)(.45) + 848\# = 4961\#$

$SF= F / P_{ah}$ $\quad SF= 4961\#/2898\# = 1.71$ O.K.

OVERTURNING:

$OTM = P*H/3$ $\quad OTM = (2898\#)(12'/3)= 11592ft-lbs$

$RM = W*\bar{x} + P*B + P_{av}*2/3*D$ $\quad RM =(7910\#)(3.5')+(1230\#)(5.90') + 848\#(2/3)=35507ft-lbs$

$SF= RM / OTM$ $\quad SF= 35507\ ft-lbs/11592ft-lbs=3.06$ O.K.

BEARING:

$q_{allow} = P/A\ (1\pm(6*e)/B)$ $\quad e=B/2-\bar{x}$ $\quad \bar{x} = \sum M/\sum P$

$\bar{x} = \frac{23915ft-lb}{9140\#} = 2.62'$ $\quad e=2.95'-2.62'=-0.33'$

$q_{allow} = 9140\#/5.9\ (1+(6*.33)/5.90'$ $\quad 1549\#\pm520\#=2069\#max.$ O.K.

PSOA007926

AA000822

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PROJECT Area 2-Phase1 @ Somersett
JOB NO. 1001.01 SHEET 5 OF 9 SHEETS
CALCULATED BY HFF DATE 9/03
CHECKED BY DATE

H=8'

SLIDING;

TRY C=3.0', B=5.0' Batter=1h:5v

P_s = 2186#, P_{ah} = 2012#, P_{av} = 854#

$W=C*H*\gamma + 1/2(B-C)H*\gamma$ W=(3.0')(10')(165pcf)(.85)+1/2(5.0'-3.0')(10')(165pcf)(.85)=5610#

$F = W*\mu + P_p + P_{av}*\mu$ F=(5160#)(.45)+(854#)(.45) +848#=3554#

$SF = F / P_{ah}$ SF=3554#/2012# = 1.77 O.K.

OVERTURNING:

OTM = P *H/3 OTM = (2012#)(10'/3)= 6707ft-lbs

RM = W*x + P *B + Pav*2/3*D RM = (5610)(2.96')+(854#)(5.0') + (848#)(2'/3)=21441ft-lbs

SF= RM / OTM SF= 21441ft-lbs/6707ft-lbs=3.2 O.K.

BEARING:

$q_{allow} = P/A\ (1 \pm (6*e)/B)$ $e = B/2 - \bar{x}$ $\bar{x} = \sum M / \sum P$

$\bar{x} = \frac{14734 ft\text{-}lb}{6464\#} = 2.28'$ e=2.50'-2.28'=0.22'

q_{allow} =6464#/5.0 (1+(6*.22)/5.0' 1293#±341#=1634#max. O.K.

PSOA007927

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PROJECT Area 2-Phase1 @ Somersett
JOB NO. 1001.01 SHEET 6 OF 9 SHEETS
CALCULATED BY HFF DATE 9/03
CHECKED BY DATE

H=6'

SLIDING;

TRY C=2.5', B=4.1' Batter=1h:5v

P_a = 1399 #, P_{ah} = 1288#, P_{av} = 547#

$W=C*H*\gamma + 1/2(B-C)H*\gamma$ $\quad W=(2.5')(8')(165pcf)(.85)+1/2(4.1'-2.5')(8')(165pcf)(.85)=3703\#$

$F = W*\mu + P_p + P_{av}*\mu$ $\quad F=(3703\#)(.45)+(547\#)(.45)+(848\#)=2760\#$

$SF= F / P_{ah}$ $\quad SF= 2760\#/1288\# = 2.14$ O.K.

OVERTURNING:

$OTM = P*H/3$ $\quad OTM = (1288\#)(8'/3)=3435ft-lbs$

$RM = W*x + P*B + P_{av}*2/3*D$ $\quad RM = (3435)(2.35')+(547\#)(4.1')+(848\#)(2'/3) =10880ft-lbs$

$SF= RM / OTM$ $\quad SF= 10880ft-lbs/3435ft-lbs=3.17$ O.K.

BEARING:

$q_{allow} = P/A\ (1\pm(6*e)/B)$ $\quad e=B/2-\bar{x}$ $\quad \bar{x} = \sum M/\sum P$

$\bar{x} = \frac{7445ft-lb}{3982\#} = 1.87'$ $\quad e=2.05'-1.87'=0.18'$

q_{allow} =3982#/4.1 (1±(6*.18)/4.1' $\quad$ 971#±256#=1227#max. O.K.

PSOA007928

AA000824

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PROJECT Area 2-Phase1 @ Somersett
JOB NO. 1001.01 SHEET 7 OF 9 SHEETS
CALCULATED BY HFF DATE 9/03
CHECKED BY DATE

H=4'

SLIDING;

TRY C=2', B=3.2'

P_a = 787 #, P_{ah} = 724#, P_{av} = 307#

$W = C*H*\gamma + 1/2(B-C)H*\gamma$ W=(2.0')(6')(165pcf)(.85)+1/2(3.2'-2.0')(6')(165pcf)(.85)=2188#

$F = W*\mu + P_p + P_{av}*\mu$ F=(2188#)(.45)+(307#)(.45)+(848#)=1971#

$SF = F / P_{ah}$ SF= 1971#/724# = 2.7 O.K.

OVERTURNING:

OTM = P *H/3 OTM = (724#)(6'/3)= 1448ft-lbs

RM = W*x + P *B + Pav*2/3*D RM = (2188#)(1.88')+(307#)(3.2')+(848#)(2'/3)=5661ft-lbs

SF= RM / OTM SF= 5661ft-lbs/1448ft-lbs=3.9 O.K.

BEARING:

$q_{allow} = P/A\ (1 \pm (6*e)/B)$ $e = B/2 - \bar{x}$ $\bar{x} = \sum M / \sum P$

$\bar{x} = \frac{4213 ft\text{-}lb}{2495\#} = 1.69'$ e=1.60'-1.69'=-.09'

q_{allow} =2495#/3.2 (1±(6*.09)/3.2' 780#±131#=911#max. O.K.

PSOA007929

AA000825

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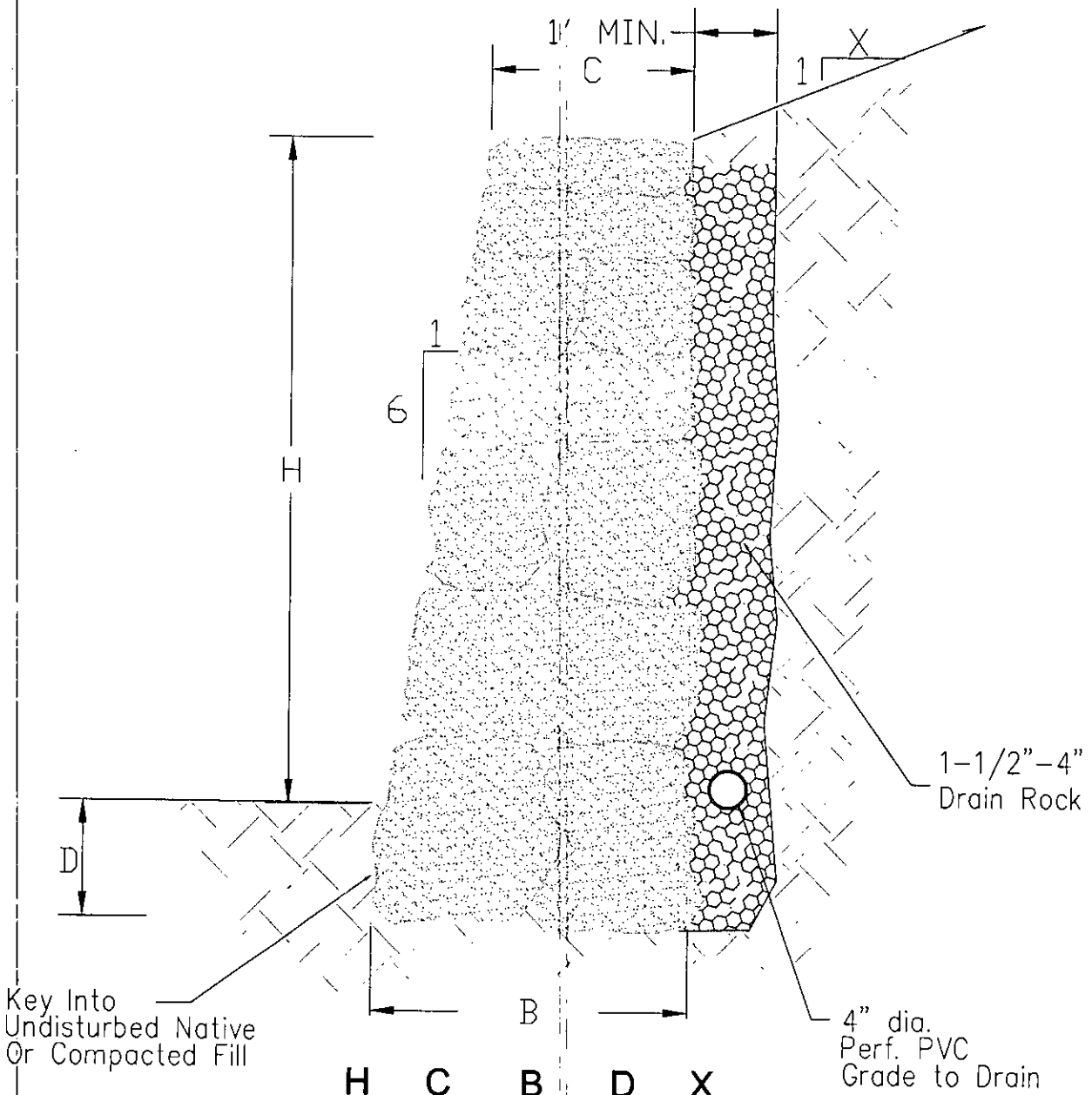
PROJECT Area 2-Phase1 @ Somersett
JOB NO. 1001.01 SHEET 8 OF 9 SHEETS
CALCULATED BY HFF DATE 9/03
CHECKED BY DATE



H	C	B	D	X
12'	4.0'	6.8'	2'	2 max.
10'	3.5'	5.9'	2'	2 max.
8'	3.0'	5.0'	2'	2 max.
6'	2.5'	4.1'	2'	2 max.
4'	2'	3.2'	2'	2 max.

PSOA007930

AA000826

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PROJECT Area 2-Phase1 @ Somersett
JOB NO. 1001.01 SHEET 9 OF 9 SHEETS
CALCULATED BY HFF DATE 9/03
CHECKED BY DATE

SPECIFICATIONS

1. Rock shall be dense, angular and hand selected for each tier.

2. Rock shall be keyed in to undisturbed native earth or compacted engineered fill to the depth indicated.

3. Maximum backfill slope shall be 2 : 1.

4. Each rock shall be fitted in place and checked for stability.

5. Front face of wall shall have a batter of approximately 1 : 6.

6. Rocks shall be place such that there are no continuous joint planes either horizontally or vertically. Each rock shall bear on two or more rocks maximizing rock to rock contact.

7. Size of rocks will vary, however, the larger rocks shall be placed in the lower courses.

8. No rockery shall be constructed where footing loads from structures can surcharge any portion of the rockery.

CIVIL IMPROVEMENT PLANS
FOR
AREA 2 ~ PHASE 1 @ SOMERSETT
(UNITS 2B, 2D*, 2G) *a portion of
WASHOE COUNTY
NEVADA

LDP03-08683
SITE IMP
Books

RENO
OWNER/DEVELOPER

SOMERSETT
It's Great To Be Home.

SOMERSETT DEVELOPMENT COMPANY, L.L.C.
100 WEST LIBERTY, SUITE 990
RENO, NEVADA 89501
(775) 323-1405

BASIS OF BEARINGS AND COORDINATES

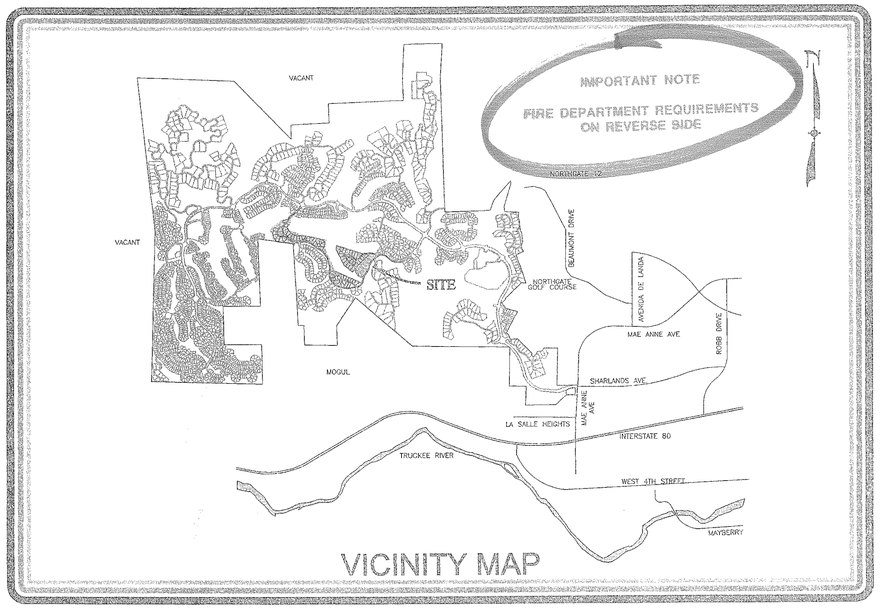
THE BASIS OF BEARINGS AND COORDINATES FOR THIS SURVEY WERE ESTABLISHED USING THE PUBLISHED COORDINATES (NAD 83/94, NEVADA WEST ZONE) FOR NGS POINTS "CHALK BLUFF" AND "RENO AIR BASE", WHICH BEARS NORTH 05°04'53" WEST, MODIFIED BY A COMBINED FACTOR COMBINED FACTOR WAS CALCULATED BY MULTIPYLYING THE PUBLISHED SCALE FACTOR AT NGS POINT "DARK" (1.00006097) BY AN ELEVATION FACTOR OF 0.99976089140 WHICH PROJECTS THE GRID TO ELEVATION OF 5,000 FEET. ALL DIMENSIONS ON THIS MAP ARE GROUND DISTANCES.

BASIS OF ELEVATION

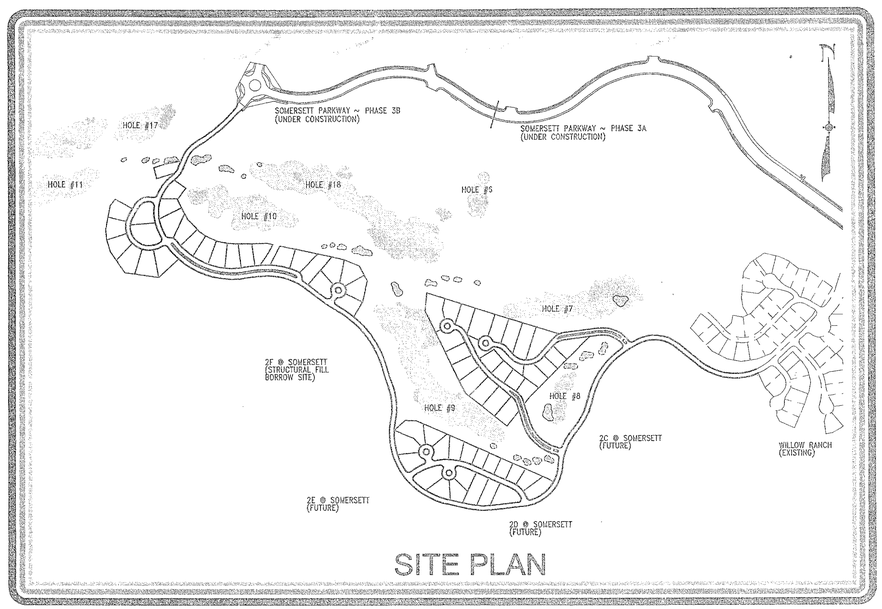
CITY OF RENO BENCHMARK 2140 TAKEN AS 4971.513 FEET
(CITY OF RENO PUBLISHED ELEVATION OF 4971.313

ABBREVIATIONS

AC	.....	ASPHALTIC CONCRETE	L	.....	LENGTH
BC	.....	BEGINNING OF CURVE	LF	.....	LINEAL FEET
BF	.....	BOTTOM OF FOOTING	LP	.....	LOW POINT
BFC	.....	BACK FACE OF CURB	M.D.D.	.....	MAXIMUM DRY DENSITY
BVC	.....	BEGINNING OF VERTICAL CURVE	MIN.	.....	MINIMUM
BW	.....	BACK OF SIDEWALK	MJ	.....	MECHANICAL JOINT
CB	.....	CATCH BASIN	MPOC	.....	MID POINT OF CURVE
℄ or CL	.....	CENTERLINE	PI	.....	POINT OF INTERSECTION
CMP	.....	CORRUGATED METAL PIPE	PCC	.....	POINT OF COMPOUND CURVATURE
CONST.	.....	CONSTRUCT	PRC	.....	POINT OF REVERSE CURVATURE
DI	.....	DROP INLET	PVC	.....	POLYVINYL CHLORIDE
D.I.P.	.....	DUCTILE IRON PIPE	R	.....	RADIUS
ELEV.	.....	ELEVATION	REF.	.....	REFERENCE
EC	.....	END OF CURVE	RET.	.....	RETURN
EP	.....	EDGE OF PAVEMENT	RCP	.....	REINFORCED CONCRETE PIPE
EVC	.....	END OF VERTICAL CURVE	RP	.....	RADIUS POINT
EXIST.	.....	EXISTING	RT.	.....	RIGHT
(e)	.....	EXISTING	R/W	.....	RIGHT OF WAY
FF	.....	FINISH FLOOR	SD	.....	STORM DRAIN
FFC	.....	FRONT FACE OF CURB	SS	.....	SANITARY SEWER
FG	.....	FINISH GRADE	SF	.....	SQUARE FEET
FLG	.....	FLANGED	SSMH	.....	SANITARY SEWER MANHOLE
FH	.....	FIRE HYDRANT	SDMH	.....	STORM DRAIN MANHOLE
FL	.....	FLOWLINE	S	.....	SLOPE
G	.....	GAS	STA.	.....	STATION
GB	.....	GRADE BREAK	TC	.....	TOP OF CURB
HORIZ.	.....	HORIZONTAL	TYP.	.....	TYPICAL
IE	.....	INVERT ELEVATION	V.C.	.....	VERTICAL CURVE
LAT.	.....	LATERAL	V.P.I.	.....	VERTICAL POINT OF INTERSECTION
LT.	.....	LEFT	W	.....	WATER



VICINITY MAP



SITE PLAN

SHEET INDEX

Grading Pmt
#LDP03-05510
RECEIVED
OCT 08 2003
CITY OF RENO
PERMIT PLACE

SPECIFICATIONS

ALL CONSTRUCTION SHALL CONFORM TO THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (1996 EDITION AND ANY APPURTENANT SUPPLEMENTS) SPONSORED AND DISTRIBUTED BY RENO, SPARKS, AND WASHOE COUNTY, AND THE RECOMMENDATIONS ESTABLISHED BY THE SOILS INVESTIGATION OF THIS SITE AS PREPARED BY SUMMIT ENGINEERING CORPORATION, DATED FEBRUARY 25, 2003.

ENGINEER'S STATEMENT

THES PLANS (SHEETS T-1 OF 68 THROUGH SD-1 OF 68) HAVE BEEN PREPARED IN ACCORDANCE WITH THE APPROVED TENTATIVE MAP, CITY OF RENO CONDITIONS OF APPROVAL, WITH ACCEPTED ENGINEERING PROCEDURES AND GUIDELINES, AND ARE IN SUBSTANTIAL COMPLIANCE WITH APPLICABLE STATUTES, CITY ORDINANCES, AND CODES. IN THE EVENT OF A CONFLICT BETWEEN AN PORTION OF THESE PLANS AND THE CITY CODES, THE CITY CODES SHALL PREVAIL.

ERIC W. LATTIN — P.E. #15220

10/6/03

PSOA004407

AA000828

SUMMIT ENGINEERING CORPORATION
5405 MAE ANNE AVE. RENO, NV. 89523
PHONE: (775) 747-8550 FAX: (775) 747-8569

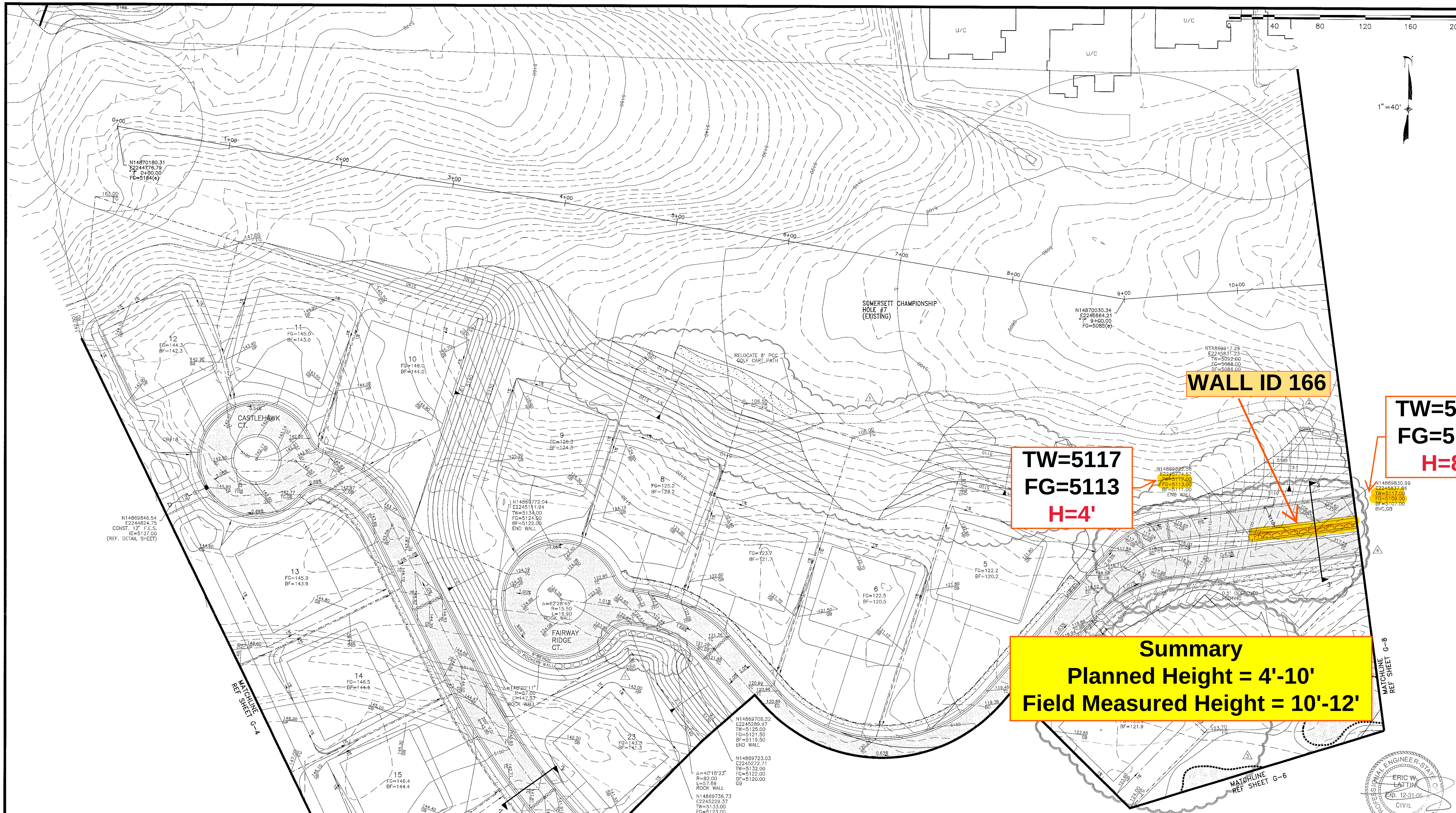
DESIGNED BY: EWL
DRAWN BY: thannum
CHECKED BY: EWL

CIVIL IMPROVEMENT PLANS FOR
AREA 2 ~ PHASE 1 @ SOMERSETT
TITLE SHEET
WASHOE COUNTY NEVADA

BY	APP'D	DESCRIPTION	DATE	REV.

SCALE
HORIZ:
VERT:
JOB NO:
N:\EWG\SOMERSETT\AREA2\A-to-Z~Phase1\FINAL\dgn\T-1TITLE.DWG - 2:40 PM - 02-SEP-2003

SHEET T-1 OF 68



ROCKERY WALL NOTES:

1.) WHERE DOUBLE OR TRIPLE WALLS ARE NECESSARY THEY SHALL HAVE AN EIGHT FOOT WIDE BENCH THAT IS LANDSCAPED AND IRRIGATED WITH TREES AND SHRUBS TO THE SATISFACTION OT THE CITY'S LANDSCAPE ARCHITECT. ALL INSTALLATION OF ROCKERY WALLS IN LOTS SHALL BE CONCURRENT WITH HOME CONSTRUCTION FOR EACH LOT.

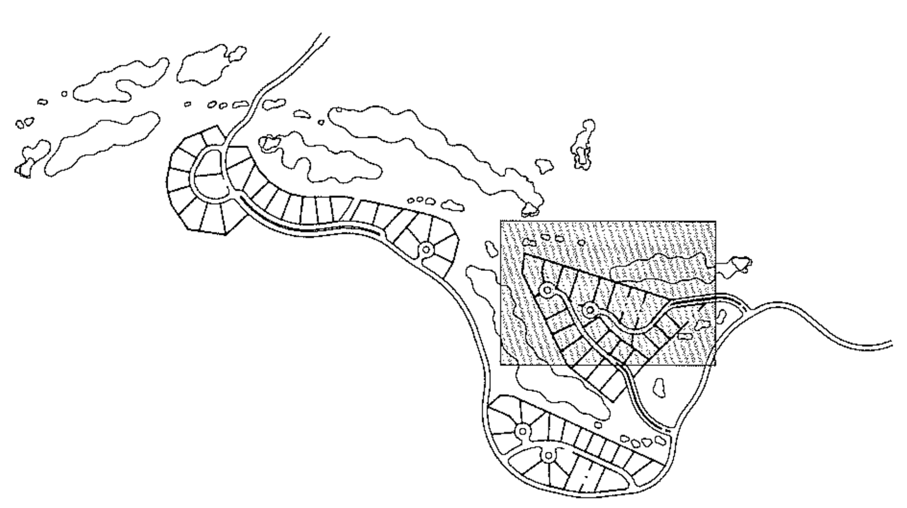
2.) ALL ROCKERY WALLS IN THE FRONT YARD SETBACK WHETHER ON THE PROPERTY LINE BETWEEN LOTS, OR WITHIN THE FRONT YARD AREA MUST NOT EXCEED A MAXIMUM OF 3 FEET IN HEIGHT AND MUST BE SETBACK 5 FEET FROM THE SIDEWALK. IF MULTIPLE ROCKERY WALLS ARE NEEDED IN THE FRONT SETBACK, THEY MUST HAVE A 5 FOOT WIDE BENCH THAT IS LANDSCAPED AS PART OF A 'TYPICAL' FRONT YARD LANDSCAPING REQUIREMENT. IF THIS IS NECESSARY, A NEW 'TYPICAL' PLAN SHALL BE SHOWN ON THE FINAL MAPS.

3.) FOR WALLS OUTSIDE OF THE FRONT YARD SETBACK, THE HEIGHT MAY NOT EXCEED 6 FEET UNLESS IT IS DETERMINED BY STAFF THAT THERE IS NO OTHER OPTIONS AVAILABLE, IN NO INSTANCE SHALL THE HEIGHT OF ANY WALLS EXCEED 10 FEET.

4.) ROCKERY WALLS PROPOSED ADJACENT TO STREETS WITHOUT RESIDENTIAL LOTS FRONTING ON THEM MUST PROVIDE A MINIMUM 6 FOOT WIDE LANDSCAPED SETBACK BETWEEN THE BACK OF CURB/SIDEWALK AND THE WALL.

5.) ROCKERY WALL COLOR MUST BE VERIFIED AS CONSISTENT IN COLOR WITH THE AREA IN WHICH IT IS PLACED. WALLS NOT MEETING THIS REQUIREMENT WILL BE TREATED WITH PERMEON OR EQUIVALENT.

IN NO INSTANCE SHALL THE HEIGHT OF ANY WALLS EXCEED 10 FEET.



LIMITS OF GRADING NOTES:

...ETION OF THE MASS GRADING AND PRIOR TO APPLICATION ...ANDSCAPING AND/OR REVEGETATION, REPRESENTATIVES FROM ...ER, THE CONTRACTOR, THE ENGINEER, THE ARCHITECT, AND ...O SHALL MEET ON SITE TO DETERMINE FINAL GRADING AND ...EMENTS. (PER CONDITION NO. 3 LDC03-00401)

LEGEND:

- 24" SD — STORM DRAIN W/SIZE & DIRECTION INDICATOR (DASHED IF EXIST)
- MANHOLE (HOLLOW IF EXISTING)
- CATCH BASIN (HOLLOW IF EXISTING)
- AC PAVEMENT AREA
- CONCRETE AREA
- GRADE BREAK
- 44 — LOT NUMBER
- 52.00 (key) — PROPOSED ELEVATIONS @
  - TC FRONT FACE TOP OF CURB
  - BFC BACK FACE TOP OF CURB
  - PI POINT OF INTERSECTION
  - BC BEGINNING OF HORIZONTAL CURVE
  - EC END OF HORIZONTAL CURVE
  - BVC BEGINNING OF VERTICAL CURVE
  - EVC END OF VERTICAL CURVE
  - FL FLOWLINE
  - FG FINISH GRADE
  - GB GRADE BREAK
  - LP LOW POINT
  - HP HIGH POINT
- 4900 — EXISTING CONTOUR LINE
- 4900 — PROPOSED CONTOUR LINE
- HANDICAP RAMP
- FLARED END SECTION
- HEADWALL

EROSION CONTROL NOTES:

TEMPORARY SEDIMENT AND EROSION CONTROL DEVICES TO BE CONSTRUCTED PRIOR TO OR CONCURRENT WITH ANY GRADING ACTIVITY.

EQUIPMENT AND VEHICLES SHALL NOT TRAVEL BEYOND THE LIMITS OF GRADING TO PREVENT DISRUPTION OF NATIVE VEGETATION.

CONSTRUCTION ENTRANCES AND EQUIPMENT PARKING AREAS SHALL BE STABILIZED WITH GRAVEL PRIOR TO GRADING.

CONCENTRATED CONSTRUCTION FLOWS, SUCH AS FROM TEMPORARY ROADS, SHALL BE CHANNELIZED TO TEMPORARY OR PERMANENT SEDIMENT TREATMENT FACILITIES PRIOR TO GRADING.

INSTALL AND MAINTAIN TEMPORARY SILT CONTROL STRUCTURES AT STORM DRAIN INLETS RECEIVING RUNOFF FROM THE CONSTRUCTION SITE.

INSTALL TEMPORARY OR FINAL REVEGETATION WITHIN 15 DAYS OF THE COMPLETION OF ANY PHASE.

TEMPORARY EROSION CONTROL MEASURES MAY BE REMOVED WHEN EROSION IS STABILIZED AND THESE MEASURES ARE NO LONGER NEEDED.

ALL AREAS DISTURBED AND LEFT UNDEVELOPED FOR A PERIOD OF MORE THAN 30 DAYS SHALL BE STABALIZED BY THE APPLICATION OF A DUST PALLIATIVE. ALL ARES LEFT UNDEVELOPED FOR MORE THAN 90 DAYS SHALL BE HYDRO-SEEDED WITH AN APPROVED SEED MIX AND TACKIFIER, AND SHALL BE IRRIGATED UNTIL FIRMLY ESTABLISHED AS APPROVED BY THE CITY ENGINEER.

STOCKPILED TOP SOILS AND VEGETATIVE STRIPPINGS ARE TO BE REAPPLIED TO DISTURBED SLOPE AREAS.

SEDEMENTATION FENCING IS REQUIRED AT THE LIMITS OF GRADING.

GENERAL NOTES:

THE CONTRACTOR SHALL MAINTAIN A DUST CONTROL PROGRAM, INCLUDING WATERING OF OPEN AREAS. THE CONTRACTOR SHALL ALSO MAINTAIN CONFORMITY WITH ALL APPLICABLE AIR QUALITY AND POLLUTION REGULATIONS.

THE CONTRACTOR SHALL MAINTAIN AN ONGOING PROCESS OF REMOVAL OF ALL SPILLAGE OF EXCAVATION MATERIAL ON ALL PAVED STREETS.

THE INSPECTION AND TESTING OF SOILS SHALL BE TO THE CITY OF RENO'S SPECIFICATIONS.

LAND GRADING SHALL BE DONE IN A METHOD TO PREVENT DUST FROM TRAVERSING THE PROPERTY LINE.

THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL NECESSARY PERMITS AND FEES REQUIRED FOR CONSTRUCTION.

THE CONTRACTOR SHALL NOTIFY ALL AFFECTED PUBLIC ENTITIES 48 HOURS PRIOR TO BEGINNING CONSTRUCTION.

THE CONTRACTOR SHALL VERIFY IN FIELD, ALL ELEVATIONS, DIMENSIONS, FLOW LINES, EXISTING CONDITIONS, AND POINTS OF CONNECTIONS WITH ADJOINING PROPERTY (PUBLIC OR PRIVATE). ANY DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE ENGINEER BEFORE PROCEEDING WITH THE WORK.

THE CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER, THE SOILS ENGINEER, THE CITY OF RENO, AND SIERRA PACIFIC POWER COMPANY 48 HOURS PRIOR TO COMMENCEMENT OF WORK.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO EXISTING UTILITIES ENCOUNTERED DURING CONSTRUCTION. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES FOR LOCATIONS OR POTHOLING PRIOR TO CONSTRUCTION.

ADD 5000 FEET TO ALL SPOT ELEVATIONS.

PROFESSIONAL ENGINEER - STATE OF NEVADA — ERIC W. LATTIN — Exp. 12-31-05 — CIVIL — No. 15... — 12-15-03

SUMMIT ENGINEERING CORPORATION
5405 MAE ANNE AVE. RENO, NV. 89523
PHONE: (775) 747-8550 FAX: (775) 747-8559

DESIGNED BY: TOH
DRAWN BY: thannum
CHECKED BY: EWL

CIVIL IMPROVEMENT P... AREA 2 ~ PHASE 1 @ S... GRADING PLAN
RENO — WASHOE COUNTY — NEVADA

REV.	DATE	DESCRIPTION	BY	APP'D
1	8/6/03	WRAPED WALL AROUND RETURN ON LOT 23, AND CHANGED SLOPE TO 3:1 BEHIND LOTS 7, AND 8		
2	8/22/03	LINEWORK AND GRADING CHANGE @ GOLF HOLE 7	RG	EWL
3	12/01/03	RAISED LOTS 1-4 PER SOMERSETT	TOH	EWL
4	12/11/03	MOVED L-CURB OUT 0.5' IN DIVIDED SECTION	TOH	EWL

SCALE HORIZ: 1"=40' VERT:
JOB NO:
SHEET G-7 OF 68
N:\DWGS\Somersett\AREA2\Area2~Phase1\FINAL\ar2ph1-G7.DWG ~ 10:13 AM * 11-DEC-2003

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SEDEMENTATION FENCING IS REQUIRED AT THE LIMITS OF GRADING.

NOTE:

RAP AT ALL OUTLETS. 100 SF MIN.

GRADING NOTES:

UPON COMPLETION OF THE MASS GRADING AND PRIOR TO APPLICATION OF SLOPE LANDSCAPING AND/OR REVEGETATION, REPRESENTATIVES FROM THE DEVELOPER, THE CONTRACTOR, THE ENGINEER, THE ARCHITECT, AND CITY OF RENO SHALL MEET ON SITE TO DETERMINE FINAL GRADING AND SLOPE TREATMENTS. (PER CONDITION NO. 3 LDC03-00401)

LEGEND:

- 24" SD — STORM DRAIN W/SIZE & DIRECTION INDICATOR (DASHED IF EXIST)
- MANHOLE (HOLLOW IF EXISTING)
- CATCH BASIN (HOLLOW IF EXISTING)
- AC PAVEMENT AREA
- CONCRETE AREA
- GRADE BREAK
- 44 — LOT NUMBER
- 52.00 (VEF) — PROPOSED ELEVATIONS @
  - TC FRONT FACE TOP OF CURB
  - BFC BACK FACE TOP OF CURB
  - PI POINT OF INTERSECTION
  - BC BEGINNING OF HORIZONTAL CURVE
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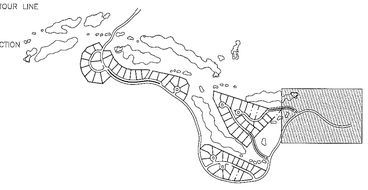
  - FL FLOWLINE
  - FG FINISH GRADE
  - GB GRADE BREAK
  - LP LOW POINT
  - HP HIGH POINT
- 4900 — EXISTING CONTOUR LINE
- 4900 — PROPOSED CONTOUR LINE
- HANDICAP RAMP
- FLARED END SECTION
- HEADWALL

0 40 80 120 160 200

1" = 40'



IN NO INSTANCE SHALL THE HEIGHT OF ANY WALLS EXCEED 10 FEET.

TW=5116
FG=5108
H=8'

TW=5115.5
G=5111
H=8'

WALL ID 166 (cont.)

TW=5116
FG=5106
H=10'

Summary
Planned Height = 4'-10'
Field Measured Height = 10'-12'

SOMERSETT CHAMPIONSHIP GOLF COURSE HOLE #7 (EXISTING)

WILLOW RANCH ~ PHASE 2 (EXISTING)

WILLOW RANCH ~ PHASE 1 (EXISTING)

2C @ SOMERSETT (FUTURE)

FAIRWAY RIDGE CT

EVENING ROCK TRAIL

MATCHLINE

RIPRAP

SUMMIT ENGINEERING CORPORATION
5405 MAE ANNE AVE, RENO, NV, 89523
PHONE: (775) 747-8550 FAX: (775) 747-8559

DESIGNED BY: TOH
DRAWN BY: thannum
CHECKED BY: EWL

REV.	DATE	DESCRIPTION	BY	APP'D
1	8/22/03	LINEWORK AND GRADING CHANGE @ GOLF HOLE 7	TOH	EWL
2	10/15/03	MOVED L-CURB OUT 0.5' @ DIVIDED SECTION	TOH	EWL

CIVIL IMPROVEMENT PLANS FOR AREA 2 ~ PHASE 1 @ SOMERSETT GRADING PLAN

RENO NEVADA
WASHOE COUNTY

SCALE
HORIZ: 1"=40'
VERT:

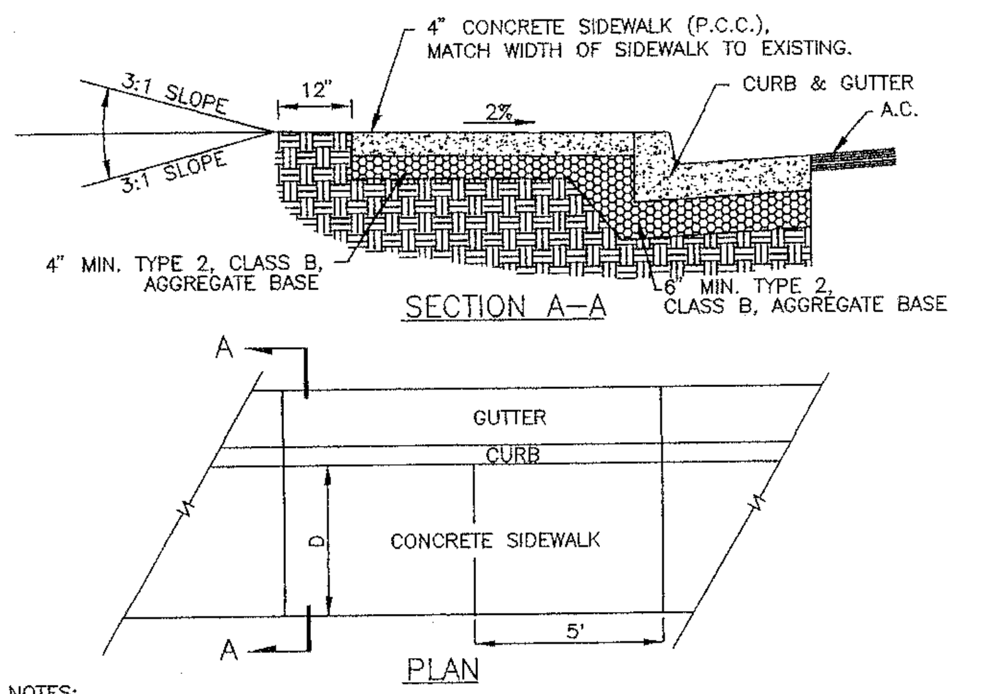
JOB NO: 68

SHEET G-8 OF

N:\DWGS\Somerset\AREA2\Area2-Phase1\FINAL\dr2ph1-G8.DWG – 10:13 AM – 11-DEC-2003

PSOA004435

AA000830

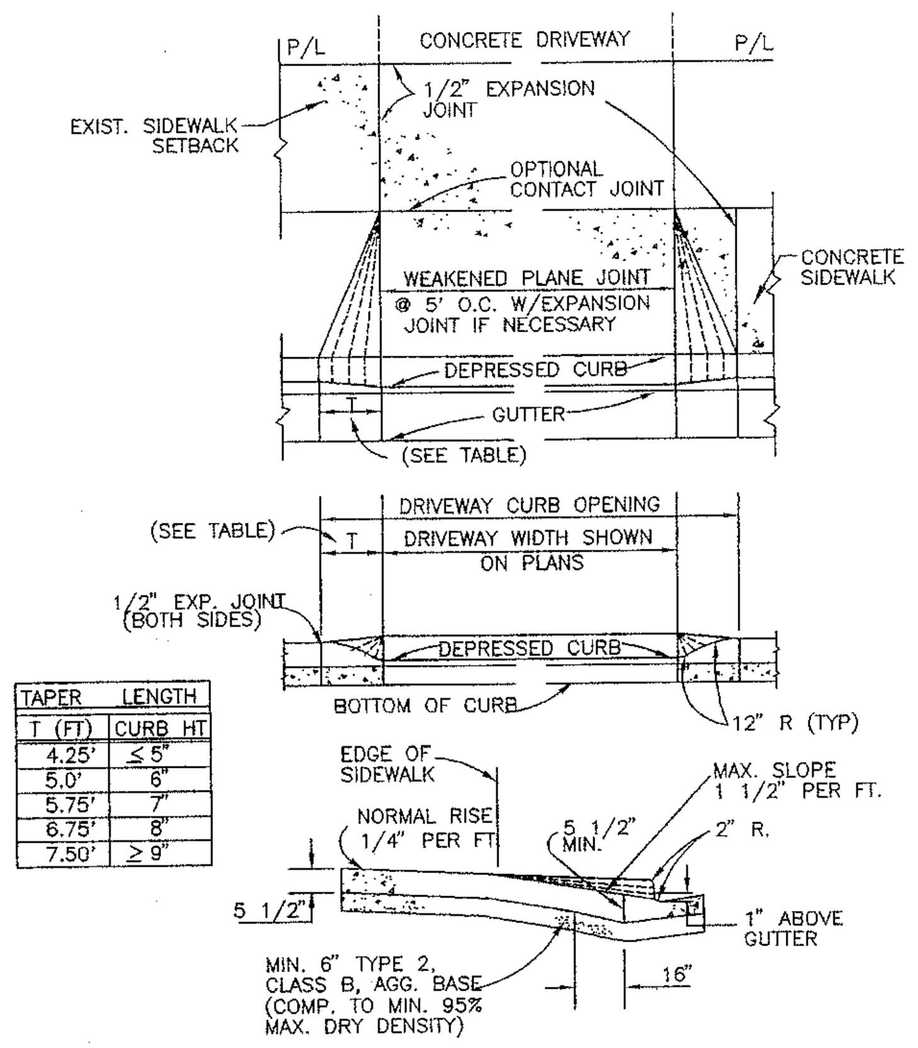


NOTES:

1. MIN. CURB RADIUS SHALL BE 20 FEET, UNLESS OTHERWISE SPECIFIED.
2. WEAKENED PLANE JOINTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PLAN VIEW AND SECTION 312.09.02 OF THE SSPWC.
3. TRAVERSE EXPANSION JOINTS 1/2" WIDE SHALL BE CONSTRUCTED AT ALL SIDEWALK RETURNS, OPPOSITE EXPANSION JOINTS IN ADJACENT CURB, AT REGULAR INTERVALS NOT EXCEEDING 30'. ISOLATION JOINTS SHALL BE INSTALLED AROUND ALL STRUCTURES. EXPANSION AND ISOLATION JOINTS SHALL BE FILLED WITH JOINT FILLER STRIPS 1/2" THICK. JOINT MATERIAL SHALL CONFORM TO SSPWC SECTION 202.10.
4. COLORED CONCRETE IS NOT ALLOWED, UNLESS APPROVED BY THE CITY ENGINEER.
5. ON SIDEWALKS WIDER THAN 5', JOINTING PATTERN SHALL BE .8 TO 1.2 TIMES THE WIDTH OF THE SIDEWALK.
6. SIDEWALK WIDTH "D" SHALL BE 4' MIN. ON RESIDENTIAL STREETS AND 5' MIN. ON COLLECTOR AND ARTERIAL STREETS.
7. FIBER–REINFORCED PORTLAND CEMENT CONCRETE (P.C.C.) SHALL HAVE THE FOLLOWING CHARACTERISTICS: 4000 PSI MIN. COMPRESSIVE STRENGTH AT 28 DAYS, MIN. 6 SACKS OF CEMENT PER CUBIC YARD WITH MAX. WATER–CEMENT RATIO OF 0.45, AIR ENTRAINMENT 6% ±1.5%, SLUMP AT 1 TO 4 INCHES. ALL MATERIALS SHALL CONFORM TO SSPWC SECTION 202. POLYPROPYLENE FIBERS SHALL BE ADDED TO THE P.C.C. PER THE MANUFACTURER'S RECOMMENDATIONS.
8. NO CONCRETE SHALL BE PLACED UNTIL FORMS AND SUBGRADE ARE INSPECTED BY THE CITY EXCAVATION PERMIT INSPECTOR OR APPLICABLE ENGINEER OF RECORD.
9. CONCRETE REMOVAL SHALL BE TO NEAT SAW CUT LINES.
10. BACKFILL SHALL BE TO 90% RELATIVE COMPACTION BEHIND SIDEWALK FOR A HORIZONTAL DISTANCE OF 1 FOOT, WITH A MATCH TO EXISTING GRADE OF NOT EXCEEDING A 3:1 SLOPE.

SIDEWALK DETAIL

R–104



TAPER	LENGTH
T (FT)	CURB HT
4.25'	≤ 5"
5.0'	6"
5.75'	7"
6.75'	8"
7.50'	≥ 9"

NOTES:

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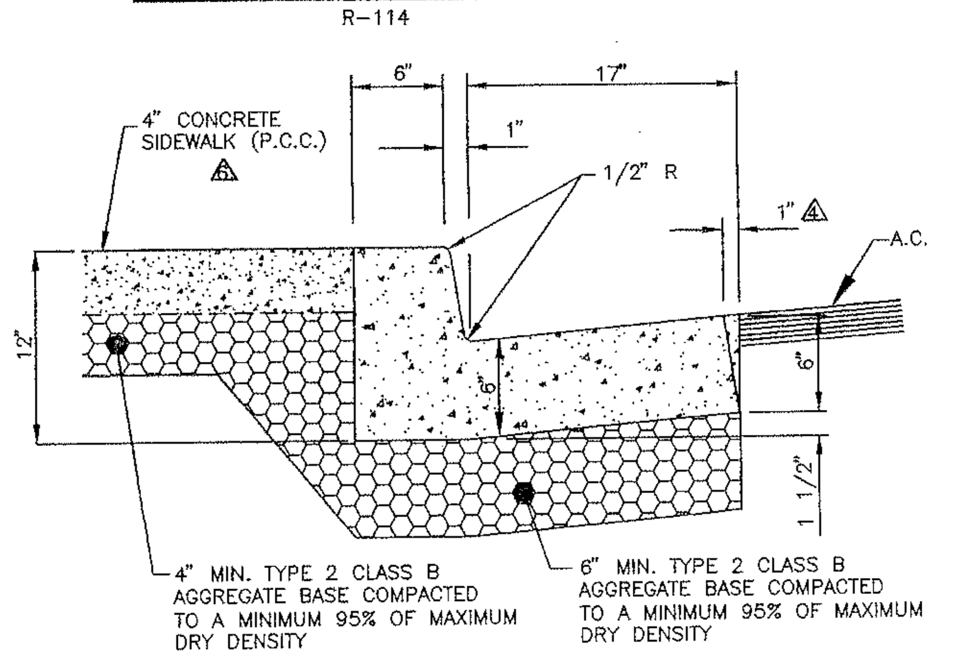
3. COMMERCIAL DRIVEWAYS TO HAVE #4 BARS AT 18" ON CENTER LONGITUDINAL & TRANSVERSE EXTENDING INTO GUTTER PAN. MINIMUM 2" CONCRETE COVER FOR ALL REINFORCING BARS. SEE DETAIL DWG. NOS. R–115A AND R–115B FOR DIMENSIONING.
4. IF EXPANSION JOINT EXISTS WITHIN 4 FEET OF DRIVEWAY, REMOVE SIDEWALK AND CURB AND GUTTER TO THAT JOINT.
5. CONCRETE REMOVAL SHALL BE TO NEAT SAWCUT LINES.
6. REMOVE CONCRETE WHEN CONSTRUCTING DRIVEWAY WHERE CURB AND GUTTER EXIST.
7. (△) DEPRESSED CURB LENGTH TO MATCH DRIVEWAY WIDTH.

P.C.C. DRIVEWAY APRON

R–114

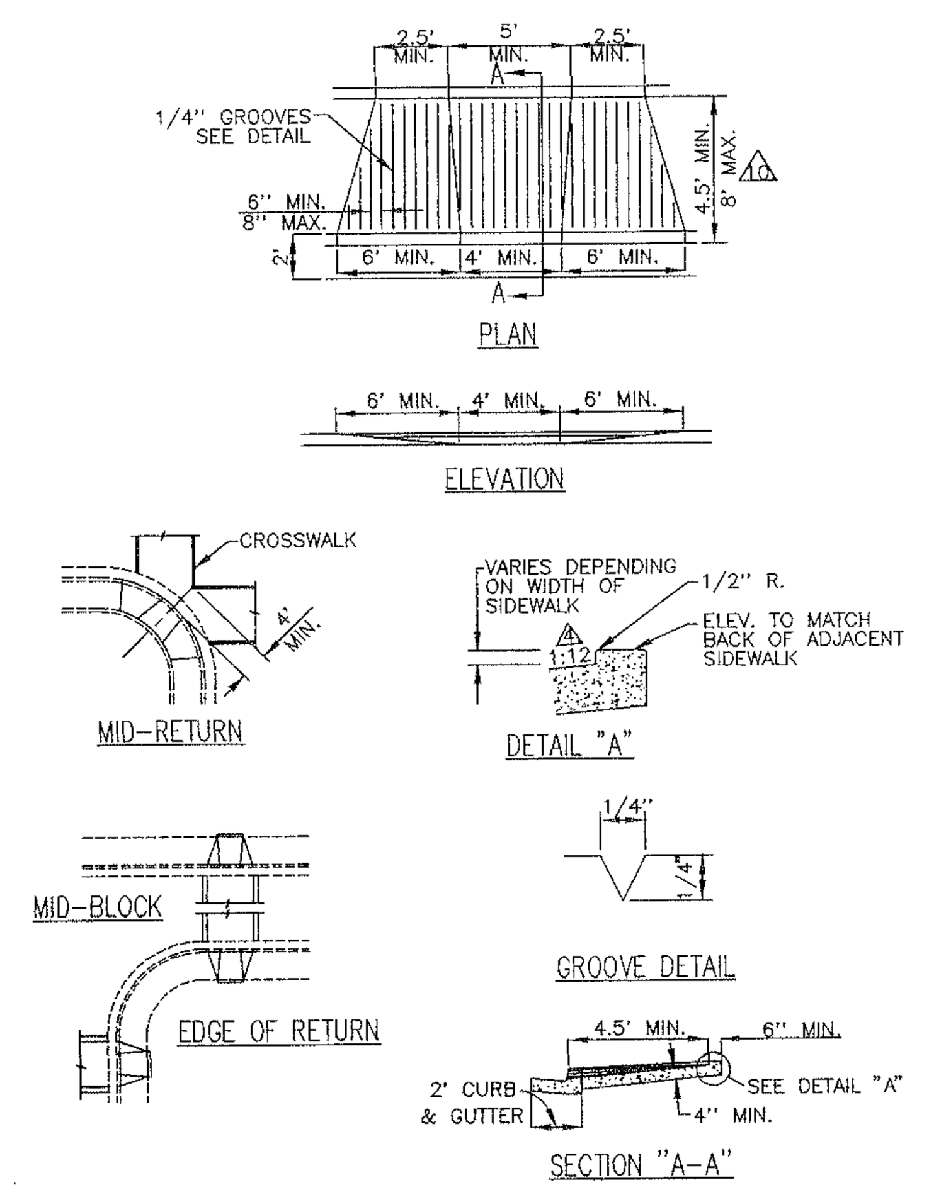


NOTES:

1. FIBER–REINFORCED PORTLAND CEMENT CONCRETE (P.C.C.) SHALL HAVE THE FOLLOWING CHARACTERISTICS: 4000 PSI MIN. COMPRESSIVE STRENGTH @ 28 DAYS, MIN. 6 SACKS OF CEMENT PER CUBIC YARD WITH A MAX. WATER/CEMENT RATIO OF 0.45, AIR ENTRAINMENT 6% ±1.5%, SLUMP AT 1 TO 4 INCHES. ALL MATERIALS SHALL CONFORM TO SSPWC SECTION 202. POLYPROPYLENE FIBERS SHALL BE ADDED TO THE P.C.C. PER THE MANUFACTURER'S RECOMMENDATIONS.
2. EXPANSION JOINTS 1/2–INCH WIDE SHALL BE LOCATED IN CURBS AND GUTTERS AT EACH SIDE OF STRUCTURES, AT THE ENDS OF ALL CURB RETURNS, AND ABUTTING HARDENED IN–PLACE CURB AND GUTTER, EXCEPT THAT EXPANSION JOINTS SHALL NOT BE INSTALLED WITHIN 20 FEET OF AN ISLAND NOSE. EXPANSION JOINTS SHALL BE 1/2–INCH THICK, SHAPED TO THE CROSS SECTION OF THE CURB AND GUTTER, AND CONSTRUCTED AT RIGHT ANGLES TO THE CURB AND GUTTER. JOINT FILLER MATERIAL SHALL CONFORM TO SSPWC SECTION 202.10. WEAKENED PLANE JOINTS SHALL BE EVERY 10 FEET AND LOCATED ON THE BACK, TOP AND FACE OF THE CURB AND THE TOP OF THE GUTTER PAN.
3. CURB & GUTTER SECTIONS SHALL BE PLACED SEPARATELY FROM SIDEWALK SECTIONS.
4. (△) "BATTERED" CONSTRUCTION ALLOWED FOR NEW CONSTRUCTION, WHILE "VERTICAL" CONSTRUCTION PERMITTED FOR RECONSTRUCTION.
5. WHERE ALTERNATE STANDARDS OF CURB AND GUTTER EXIST, AND THE REPLACEMENT CURB AND GUTTER IS GREATER THAN 20 CONTINUOUS FEET IN LENGTH, TYPE 1 CURB AND GUTTER SHALL BE INSTALLED WITH THE APPROPRIATE TRANSITIONS TO MATCH INTO THE EXISTING CURB AND GUTTER, IF DIRECTED BY THE CITY ENGINEER.
6. (△) WHEN SIDEWALK IS NOT REQUIRED, BACKFILL BEHIND THE CURB TO THE TOP FOR A HORIZONTAL DISTANCE OF 12" FROM BACK FACE OF CURB, WITH A MATCH TO EXISTING GRADE OF NOT EXCEEDING A 3:1 SLOPE.

TYPE 1 PCC CURB & GUTTER

R–109



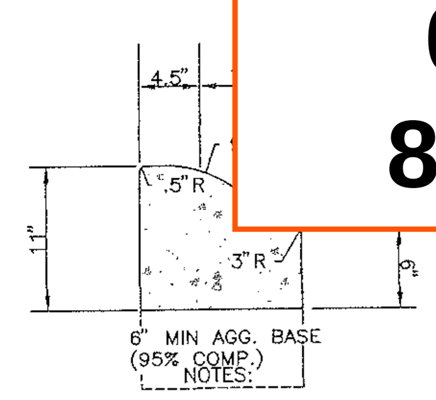
NOTES:

1. IF OBSTRUCTIONS SUCH AS INLETS, UTILITY POLES, PULL BOXES, FIRE HYDRANTS, ETC. ARE ENCOUNTERED, THE LOCATION AND DIMENSIONS MAY BE ADJUSTED UPON APPROVAL OF THE ENGINEER.
2. TEXTURE TO BE HEAVY BROOM FINISH, TRAVERSE TO AXIS OF RAMP.
3. THE MID–BLOCK RAMP SHOWN IN DETAIL SHALL BE CENTERED IN THE CROSSWALK, AND HAVE A MINIMUM CURB OPENING OF 6 FEET.
4. (△) SLOPE TO MEET EXISTING CONDITIONS.
5. ALL RAMPS SHALL BE LOCATED WITHIN CROSSWALK AREAS, UNLESS OTHERWISE DIRECTED BY THE CITY ENGINEER.
6. ALL CONCRETE TO BE REMOVED TO SAW CUT OR EXPANSION JOINTS.
7. THE GUTTER PAN–SIDEWALK TRANSITION SECTION (SECTION A–A) WILL BE SMOOTH WITH NO LIP AT GUTTER FLOWLINE. THIS TRANSITION SECTION MAY BE A MONOLITHIC POUR.
8. SLOPE ON WINGS AT 1:12, SLOPE ON RAMP FROM FLOWLINE TO BACK OF WALK 1:12 WITH CURB ON THE BACK SIDE, IF NEEDED.
9. FIBER–REINFORCED PORTLAND CEMENT CONCRETE (P.C.C.) SHALL HAVE THE FOLLOWING CHARACTERISTICS: 4000 PSI MIN. COMPRESSIVE STRENGTH @ 28 DAYS, MIN. 6 SACKS OF CEMENT PER CUBIC YARD WITH A MAX. WATER/CEMENT RATIO OF 0.45, AIR ENTRAINMENT 6% ±1.5%, SLUMP AT 1 TO 4 INCHES. ALL MATERIALS SHALL CONFORM TO SSPWC SECTION 202. POLYPROPYLENE FIBERS SHALL BE ADDED TO THE P.C.C. PER THE MANUFACTURER'S RECOMMENDATIONS.
10. (△) WHERE PHYSICAL LIMITATIONS EXIST TO PRECLUDE FULL DEPTH PEDESTRIAN RAMP CONSTRUCTION, A MINIMUM CLEARANCE OF 36" IS REQUIRED PER A.D.A. STANDARDS. ANY DEVIATION FROM MINIMUM A.D.A. STANDARDS MUST BE APPROVED BY THE CITY ENGINEER PRIOR TO CONSTRUCTION.
11. CONTRACTORS SHALL MAKE EVERY EFFORT TO CORRECT ANY CONFLICT WITH EXISTING PULL BOXES AND INSTALLATION OF NEW PEDESTRIAN RAMPS. THE CITY ENGINEER SHALL MAKE THE FINAL DETERMINATION REGARDING THE DEGREE OF MODIFICATIONS REQUIRED BY THE CONTRACTOR FOR CONFLICTS BETWEEN EXISTING PULL BOXES AND NEW PEDESTRIAN RAMPS.

PEDESTRIAN RAMP

R – 106 B

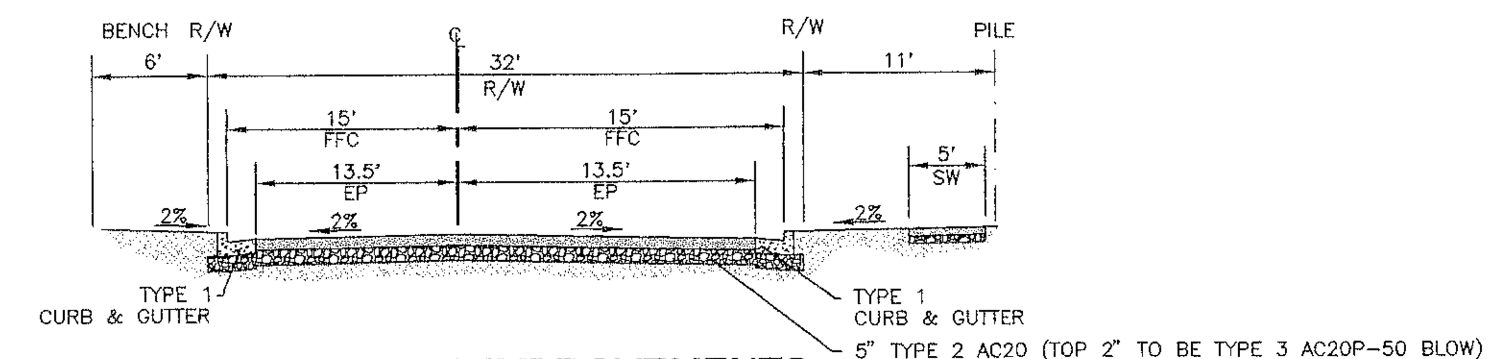
WALL HEIGHT
0 TO 8'
8' TO 11'



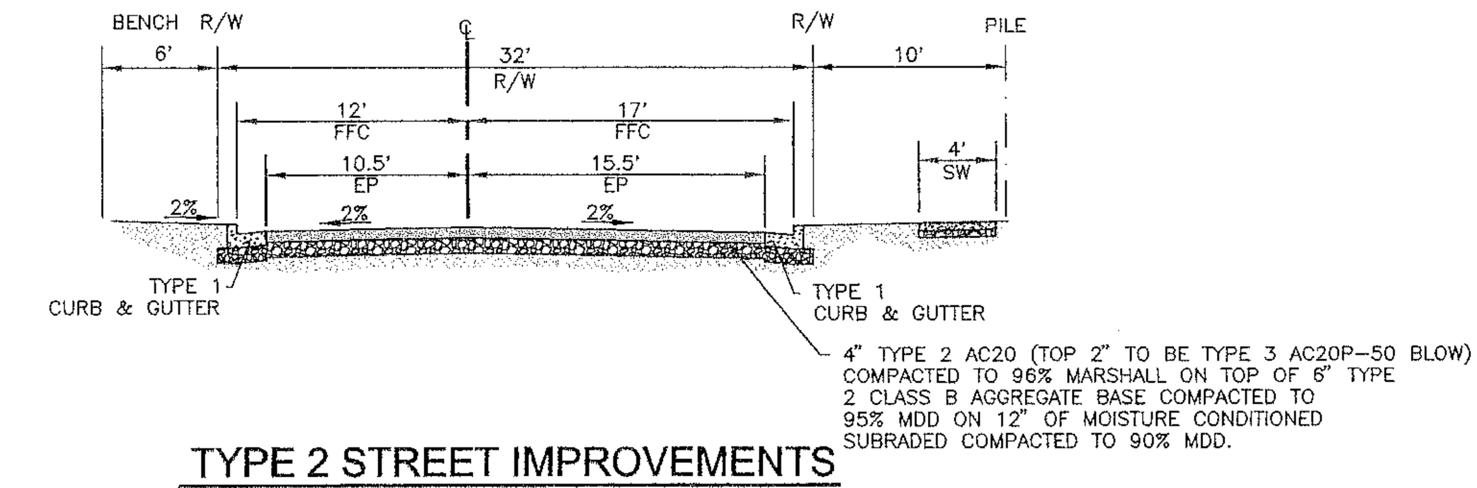
NOTES:

1. ALL P.C.C. CURB, GUTTER AND SIDEWALK SHALL BE CLASS AA OR DA CONCRETE UNLESS OTHERWISE SPECIFIED (4000 PSI).
2. ALL CONCRETE CURB, GUTTER AND SIDEWALK SHALL HAVE 1/2" EXPANSION JOINTS EVERY 30' (UNLESS APPROVED OTHERWISE BY THE ENGINEER) AND AT ALL CURB RETURNS AND SHALL HAVE WEAKENED PLANE JOINTS EVERY 10 FEET.
3. AGGERGATE BASE MATERIAL SHALL CONFORM TO THE SPECIFICATIONS FOR TYPE 2 AGGERGATE BASE AND BE COMP. TO A MIN. 95% MAX. DRY DENSITY.

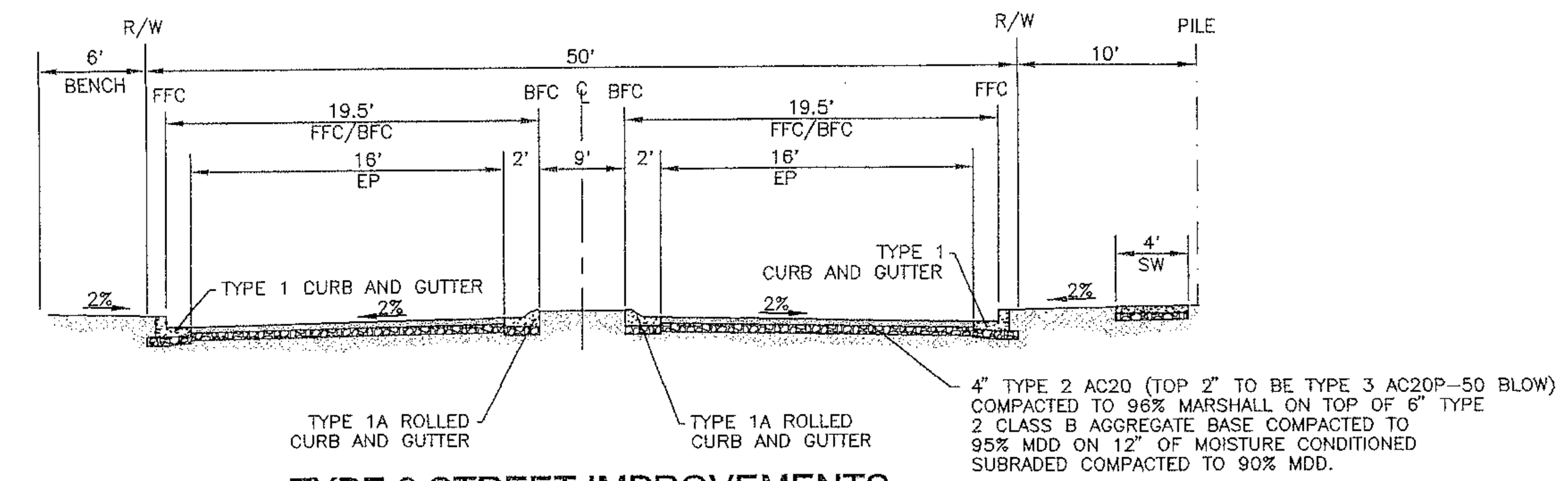
TYPE 1B PCC ROLL MEDIAN CURB



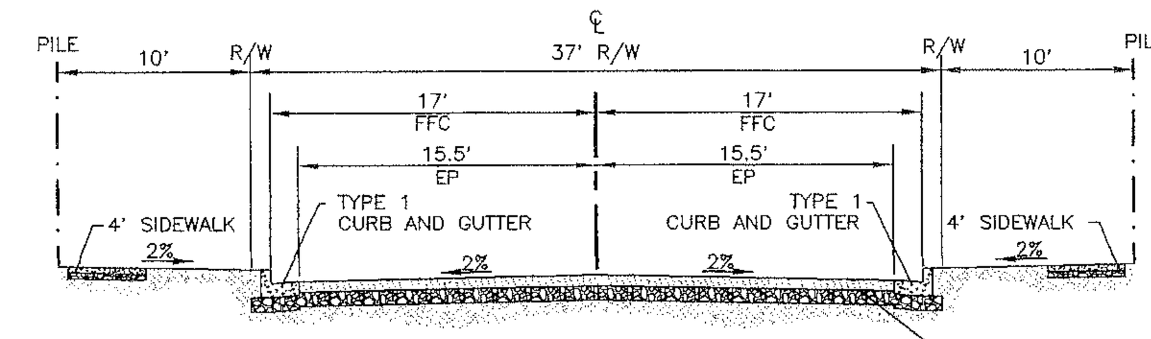
TYPE 1 STREET IMPROVEMENTS



TYPE 2 STREET IMPROVEMENTS

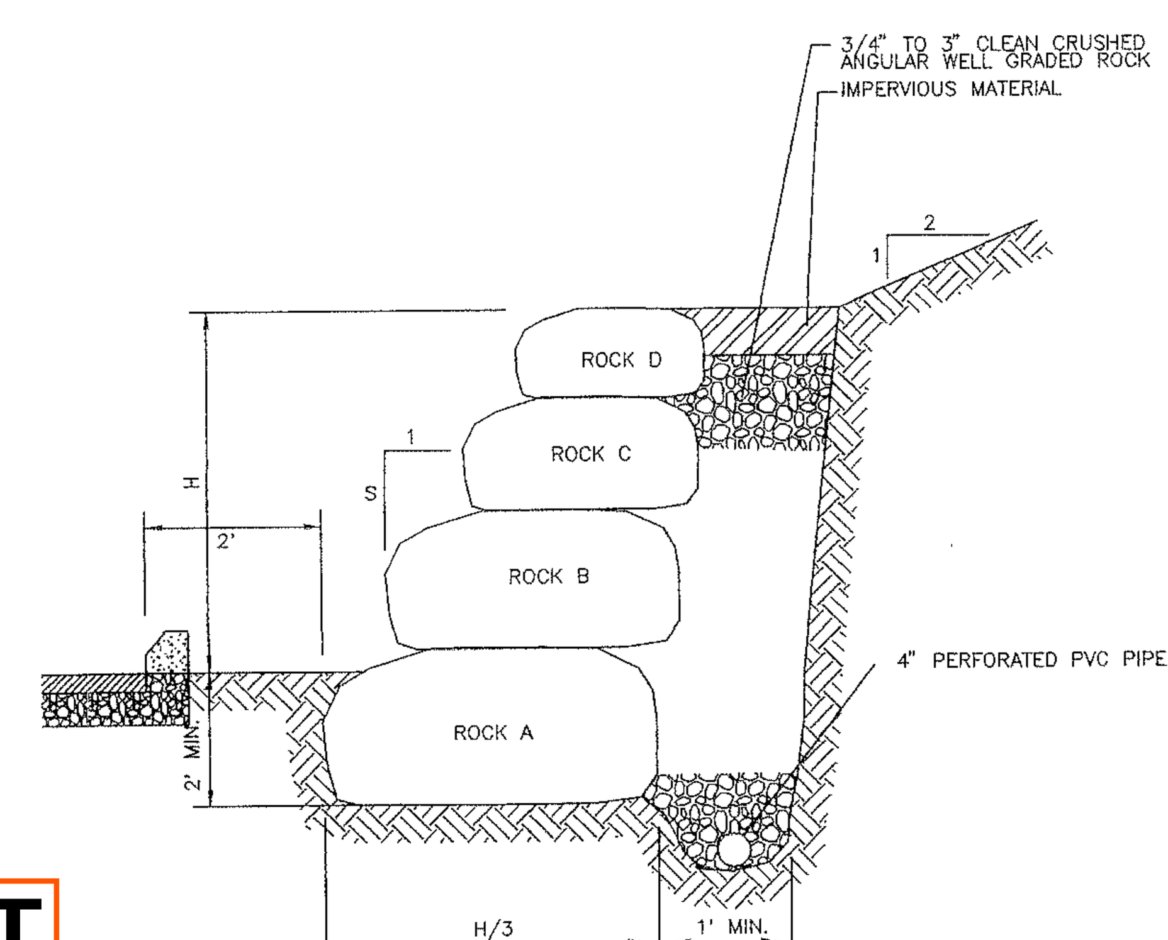


TYPE 3 STREET IMPROVEMENTS



TYPE 4 STEET IMPROVEMENTS

4" TYPE 2 AC20 (TOP 2" TO BE TYPE 3 AC20P–50 BLOW) COMPACTED TO 96% MARSHALL ON TOP OF 6" TYPE 2 CLASS B AGGREGATE BASE COMPACTED TO 95% MDD ON 12" OF MOISTURE CONDITIONED SUBRADED COMPACTED TO 90% MDD.



WALL HEIGHT	S	ROCK A	ROCK B	ROCK C	ROCK D
0 TO 8'	6	6 MAN	5 MAN	4 MAN	--
8' TO 11'	4	6 MAN	5 MAN	4 MAN	3 MAN

ROCK SPECS

ROCK	WEIGHT	SIZE
1 MAN	50–200#'S	12"–18"
2 MAN	200–700#'S	18"–28"
3 MAN	700–2000#'S	28"–36"
4 MAN	2000–4000#'S	36"–48"
5 MAN	4000–6000#'S	48"–54"
6 MAN	6000–8000#'S	54"–60"

ROCKS SHALL BE SOUND, WEATHERING RESISTANT ANGULAR LEDGE ROCK.

a. ABSORPTION: ≤ 2% IGNEOUS METAMORPHIC
≤ 3% SEDIMENTARY
b. ACCELERATED EXPANSION (CRD–<–148) < 15% BREAKDOWN
c. SOUNDNESS (CRD–<–137) ≤ 5% LOSS
d. UNCONFINED COMPRESSIVE STRENGTH (ASTM D 2938–79):
≥ 15,000 psi IGNEOUS METAMORPHIC
≥ 8,000 psi SEDIMENTARY

ROCKERY WALL

PROFESSIONAL ENGINEER STATE OF NEVADA — ERIC W. ... CIVIL No. 15226
10/6/03

SUMMIT ENGINEERING CORPORATION
5405 MAE ANNE AVE. RENO, NV. 89523
PHONE: (775) 747-8550 FAX: (775) 747-8559

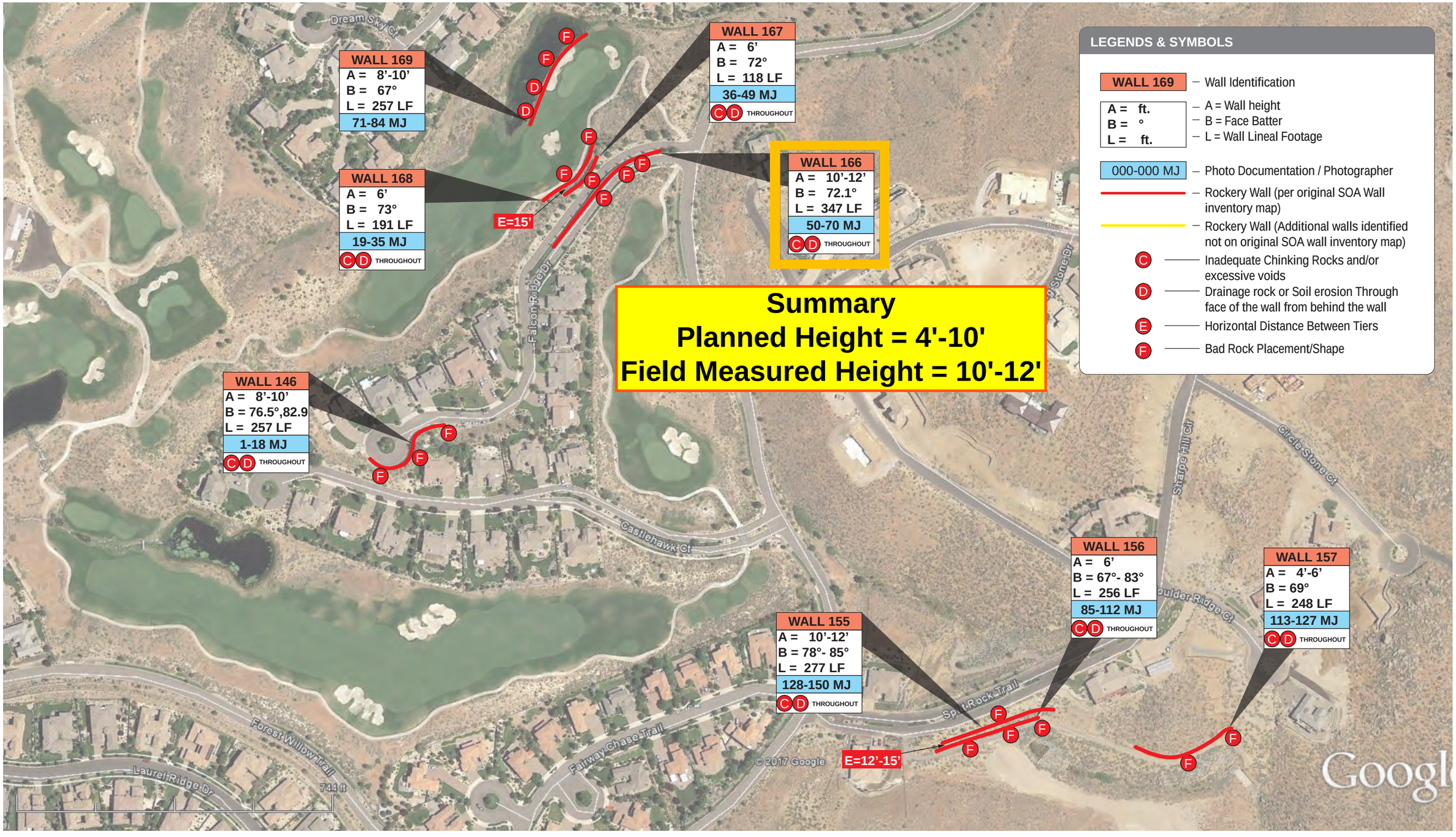
DESIGNED BY: NIB
DRAWN BY: robert
CHECKED BY: EWL

CIVIL IMPROVEMENT PLANS FOR AREA 2 ~ PHASE 1 @ SOMERSETT DETAIL SHEET
RENO WASHOE COUNTY NEVADA

REV.	DATE	DESCRIPTION	BY	APP'D

SHEET D-2 OF 68
SCALE HORIZ: VERT: JOB NO:

N:\DWGS\Somersett\AREA2\Area2~Phase1\FINAL\ar2ph1-det.DWG ~ 10:12 AM * 04-SEP-2003



0 744'

AMERICAN GEOTECHNICAL, INC.
22725 OLD CANAL ROAD, YORBA LINDA, CA 92887
(714) 685-3900 (714) 685-3909
www.amgt.com

TITLE:
SITE DOCUMENTATION PLAN
SOMERSETT MASTER ASSOCIATION – ROCKERY WALLS

SCALE:	DATE:	FILE NO.:
AS SHOWN	DEC 2017	40789-01

MAP
15

AA000832

Somersett Owners' Association
File No. 40789-01

American Geotechnical, Inc.
GEOTECHNICAL ENGINEERING / MATERIALS TESTING & INSPECTION

Rockery Wall Summary Table

AG Map #	Wall ID #	Unit/ Phase Name	Rockery Wall Permit #	Civil Designer (Page #)	Civil Plans have Detail or Cross Sec Y/N	Wall Designer	Geotechnical Report By & Date (Rockery wall rec page #)	Final Rockery Wall Report & Date	Length	Rockery Wall Observed # of Tiers	Rockery Wall Field Measured Max. Height (ft)
7	141	Area 2 Phase 1 @ Somersett (2B, 2D, G)	LDP03-07575	Sumit (Sht G-2, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	60	**1**	**7**
	142	Area 2 Phase 1 @ Somersett (2B, 2D, G)	LDP03-07575	Sumit (Sht G-2, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	834	**1**	**9-10.5**
10	1008	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-07575	Summit (Sht G-5)	Y	Harlan Fricke	Summit 07/22/04	Stantec 12/21/2006	105	**1**	**6**
15	146	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-0775	Summit (Sht G-7, G-8, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	257	**1**	**8-10**
	166	**Area 2, Phase 1 @ Somersett (2B, 2D, 2G)**	**LDP03-07575**	**Summit (Sht G-7, G-8, D-2)**	**Y**	**Harlan Fricke**		**Stantec 12/21/2006**	**347**	**1**	**10-12**
	167	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-07575	Summit (Sht G-8, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	118	**2 (U)**	**6**
	168	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-07575	Summit (Sht G-8, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	191	**2 (L)**	**6**
11	174	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-1)	N			Stantec 12/21/2006	126	**1**	**4-10**
	175	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-1)	N			Stantec 12/21/2006	108	**1**	**4-6**
	176	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-1)	N			Stantec 12/21/2006	113	**1**	**3-6**
12	304	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	230	**1**	**5-6**
	305	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-4, D-6)	N			Stantec 12/21/2006	122	**2 (L)**	**5-6**
	306	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-4, D-6)	N			Stantec 12/21/2006	388	**2 (U)**	**6-8**
	1010	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-4, D-6)	N			Stantec 12/21/2006		**1**	**10**
13	179	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	86	**1**	**3-6**
	180	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	77	**1**	**3-5**
	181	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	217	**1**	**3-5**
	182	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	149	**1**	**5-8**
20	307	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	327	**1**	**4-10**
	308	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	243	**1**	**6**
	309	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	152	**1**	**4-8**
	2002	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	374	**2 (L)**	**10**
	2003	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	235	**2 (U)**	**10**
	2004	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-8)	Y			Stantec 12/21/2006	95	**3 (L)**	**6-8**
	2005	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-8)	Y			Stantec 12/21/2006	86	**3 (M)**	**3**
	2006	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-8)	Y			Stantec 12/21/2006	75	**3 (U)**	**6**
	2007	Area 3, Phase 1 @ Somersett	LDP03-11535	?				Stantec 12/21/2006	78	**1**	**5**
21	310	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit G-6/D-8 of 89	Y			Stantec 12/21/2006	311	**1**	**8**
	311	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit G-7/D-9 of 89	Y			Stantec 12/21/2006	187	**1**	**8**
	312	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit G-7 of 89 Rev 7/7	Y			Stantec 12/21/2006	100	**1**	**8**
22	**197**	**Autumn Ridge 1 @ Somersett**	**LDP02-00206**	**Summit (G-4, D-3)**	**Y**			**Stantec 12/21/2006**	**191**	**1**	**10-12**
	198	**Autumn Ridge 1 @ Somersett**	**LDP02-00206**	**Summit (G-4, D-3)**	**Y**			**Stantec 12/21/2006**	**41**	**1**	**12**
	199	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-4, D-3)	Y			Stantec 12/21/2006	398	**1**	**5**
	200	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006	62	**3 (L)**	**8**
	201	**Autumn Ridge 1 @ Somersett**	**LDP02-00206**	**Summit (G-2, D-3)**	**Y**			**Stantec 12/21/2006**	**103**	**3 (M)**	**12**
	202	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006	124	**3 (U)**	**6**
	203	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-3, D-3)	Y			Stantec 12/21/2006	50	**2 (L)**	**8**
	204	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-3, D-3)	Y			Stantec 12/21/2006	78	**2 (U)**	**8**
	205	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006		**1**	**MASONRY WALL**
	206	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006	72	**1**	**5-6**
	275	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (Sht G-1, D-3)	Y			Stantec 12/21/2006	110	**1**	**4.5**
	276	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (Sht G-1, D-3)	Y			Stantec 12/21/2006	236	**1**	**2.5**
	207	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	148	**2 (U)**	**5-6**
	208	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	39	**2 (L)**	**8**
	209	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	46	**1**	**10**
	210	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	52	**1**	**10**
	277	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (Sht G-1, D-2)	Y			Stantec 12/21/2006	310	**1**	**5-10**
										171	**67**

374 Total walls field mapped
171 Rockery Walls with at least 2 Tiers
67 Rockery Wall Height Measured to be Greater than 10 fee
Areas covered by letter by Mr. Theodore Chrissinger of HCKV to Mr. John Samberg of WRSSR dated 05/07/19 which points out Mr. Harlan Fricke's wall design is higher than 10 feet. PSOA 07922-7931 (Area 2, Phase 1), 1354-1364 (Area 3, Phase 1), 7162-7166 Autumn Ridge)
Walls within areas covered which plans show are not to exceed 10 feet in height
The only location where the plans and specifications allowed for a wall that was greater than 10 feet and was confirmed through our firld measurements to be greater than 10 feet.

AA000833

F I L E D
Electronically
CV17-02427
2019-05-13 03:34:30 PM
Jacqueline Bryant
Clerk of the Court
Transaction # 7267124 : yviloria

EXHIBIT 40

EXHIBIT 40

Harlan Fricke Consulting
430 So. Rock Blvd.
Sparks, NV 89431

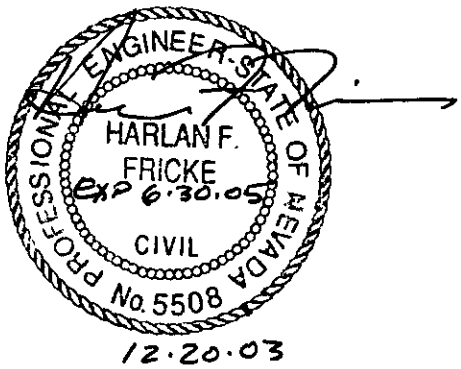
Specifications and Stability Calculations for Dry Stacked Rock Walls

Somersett Area 3 Phase 1
Reno, Nevada

Prepared for:

PARSONS

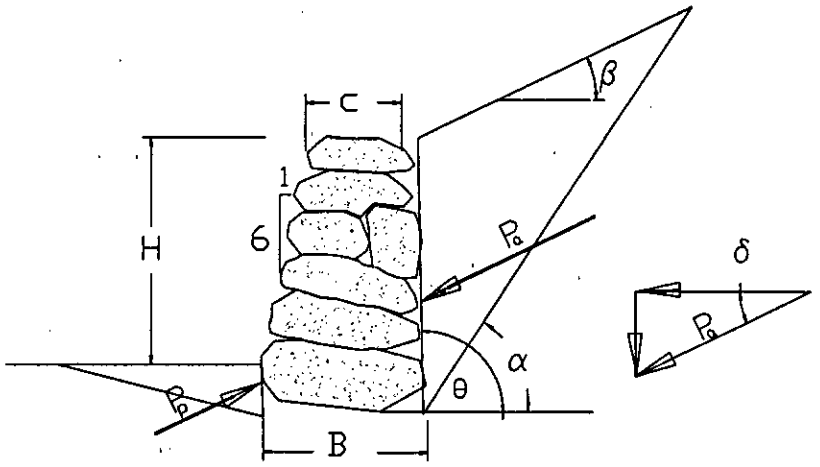
P. O. Box 40694
Reno, Nevada 89504



December 20, 2003

Harlan Fricke Consulting
430 South Rock Blvd.
Sparks, Nevada 89431
Phone (775) 691-3878 Fax (775) 358-3839

PROJECT Somersett Area 3 Phase 1
JOB NO. 1001.01 SHEET 1 OF 10 SHEETS
CALCULATED BY HFF DATE 12/03
CHECKED BY DATE



φ = angle of internal friction of soil

α = angle of failure wedge with horizontal

β = backslope angle

γ = unit wieght of soil

θ = angle of back of wall w/ horizontal

δ = angle of wall friction

K_a coefficient of active pressure

P_a= total lateral force on wall

K_p coefficient of passive pressure

P_p= total resisting force on wall

Reference: Retaining and Flood Walls USACOE / ASCE

$$P_a = 1/2\ \gamma\ \frac{1}{\sin(\theta)\ \cos(\delta)}\ K_a\ h^2$$

$$K_a = \frac{\sin^2(\theta+\varphi)\ \cos(\delta)}{\sin(\theta)\ \sin(\theta-\delta)\left[1+\sqrt{\frac{\sin(\varphi+\delta)\ \sin(\varphi-\beta)}{\sin(\theta-\delta)\ \sin(\theta+\beta)}}\right]^2}$$

$$P_p = 1/2\ \gamma\ \frac{1}{\sin(\theta)\cos(\delta)}\ K_p\ h^2$$

$$K_p = \frac{\cos^2(\varphi)}{\left[1-\sqrt{\frac{\sin(\varphi)\ \sin(\varphi+\beta)}{\cos(\beta)}}\right]^2}$$

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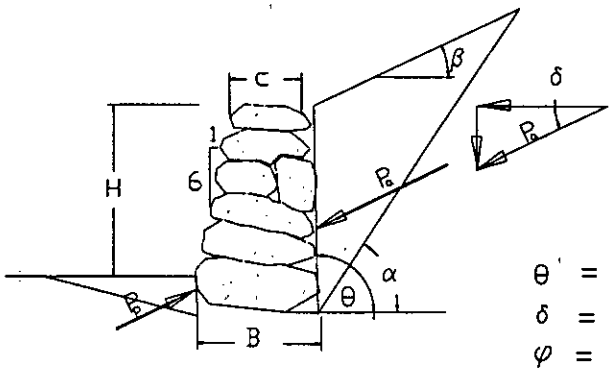
PROJECT	Somersett Area 3 Phase 1
JOB NO. 1001.01	SHEET 2 OF 10 SHEETS
CALCULATED BY HFF	DATE 12/03
CHECKED BY	DATE



ASSUMPTIONS

θ = assumed to be 90 deg. for passive case
δ = assumed to be 0 deg. for passive case
φ = 35 deg.
γ = 120 pcf
$\delta = 2/3\,\varphi$
μ = 0.45
β = 26.6 deg.
q_{max} = 3000 psf

$$K_a = \frac{\sin^2(125)\ \cos(23.3)}{\sin(90)\sin(66.7)\left[1 + \sqrt{\frac{\sin(58.3)}{\sin(66.7)}\,\frac{\sin(8.4)}{\sin(116.6)}}\right]^2} = .348$$

$$P_a = 1/2(125\ \text{pcf})\,\frac{1}{\sin(90)\ \cos(23.3)}(.348)(16)^2 = 6431\#$$

$$K_p = \frac{\cos^2(35)}{\left[1 - \sqrt{\frac{\sin(35)\sin(35)}{\cos(0)}}\right]^2} = 3.66$$

$$P_p = 1/2\,(125\ \text{pcf})(3.66)(2)^2 = 885\#$$

$$P_{ah} = (6431\#)\cos(23) = 5920\#$$

$$P_{av} = (6431\#)\ \sin(23) = 2513\#$$

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PROJECT Somersett Area 3 Phase 1
JOB NO. 1001.01 SHEET 3 OF 10 SHEETS
CALCULATED BY HFF DATE 12/03
CHECKED BY DATE

H=14'

SLIDING;

Try C=5.33', B=8.0' Batter=1h:6v

P_a =5817#, P_{ah} = 5354#, P_{av} = 2272#

$W=C*H*\gamma + 1/2(B-C)H*\gamma$ W=(5.33)(16')(165pcf)(.85)+1/2(8.00'-5.33')(16')(165pcf)(.85) = 14960#

$F = W*\mu + P_{av}*\mu$ F=(14960#)(.45)+(2272#)(.45) + 885# =8640#

$SF= F / P_{ah}$ SF= 8640#/5354# = 1.61 O.K.

OVERTURNING:

OTM = P *H/3 OTM = (5354#)(16'/3)= 28557 ft-lbs

RM = W*$\bar{x}$ + P *B + P_{av}*2/3*D RM =(14960#)(4.62')+(2272#)(8.0') + 885#(2/3)=87917 ft-lbs

SF= RM / OTM SF= 87917ft-lbs/28557ft-lbs=3.1 O.K.

BEARING:

$q_{allow} = P/A\ (1 \pm (6*e)/B)$ $e=B/2-\bar{x}$ $\bar{x} = \sum M/\sum P$

$\bar{x} = \frac{59360\ ft-lb}{17232\#} = 3.44'$ e=4.00'-3.44'=0.56'

q_{allow}=17232#/8.0 (1±(6*.56)/8.0' 2154#±905#=3059#max. say O.K.

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PROJECT Somersett Area 3 Phase 1
JOB NO. 1001.01 SHEET 4 OF 10 SHEETS
CALCULATED BY HFF DATE 12/03
CHECKED BY DATE

H=12'

SLIDING;

Try C=4.67', B=7.00' Batter=1h:6v

P_a =4453#, P_{ah} = 4099#, P_{av} = 1740#

$W=C*H*\gamma + 1/2(B-C)H*\gamma$ W=(4.67')(14')(165pcf)(.85)+1/2(7.00'-4.67')(14')(165pcf)(.85)= 11454#

$F = W*\mu + P_{av}*\mu$ F=(11454#)(.45)+(1740#)(.45) + 885# =6822#

$SF= F / P_{ah}$ SF= 6822#/4099# = 1.66 O.K.

OVERTURNING:

OTM = P *H/3 OTM = (4099#)(14'/3)= 19131ft-lbs

RM = W*$\bar{x}$ + P *B + P_{av}*2/3*D RM =(11454#)(4.04')+(1740#)(7.00') + 885#(2/3)=59092 ft-lbs

SF= RM / OTM SF= 59092ft-lbs/19131ft-lbs=3.1 O.K.

BEARING:

$q_{allow} = P/A\ (1 \pm (6*e)/B)$ $e=B/2-\bar{x}$ $\bar{x} = \sum M/\sum P$

$\bar{X} = \frac{39961 ft-lb}{13194\#} = 3.03'$ e=3.50'-3.03'=0.47'

q_{allow}=13194#/7.00 (1±(6*.47')/7.00' 1885#±760#=2646#max. O.K.

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PROJECT Somersett Area 3 Phase 1
JOB NO. 1001.01 SHEET 5 OF 10 SHEETS
CALCULATED BY HFF DATE 12/03
CHECKED BY DATE

H=10'

SLIDING;

Try C=3.5', B=5.5' Batter=1h:6v

P_a =3272#, P_{ah} = 3012#, P_{av} = 1278#

$W=C*H*\gamma +1/2(B-C)H*\gamma$ $W=(3.5')(12')(165pcf)(.85)+1/2(5.5'-3.5')(12')(165pcf)(.85) = 7575\#$

$F = W*\mu + P_{av}*\mu$ $F=(7575\#)(.45)+(1278\#)(.45) + 885\# = 4869\#$

$SF= F / P_{ah}$ $SF= 4869\#/3012\# = 1.62$ O.K.

OVERTURNING:

$OTM = P *H/3$ $OTM = (3012\#)(12'/3)= 12048 ft-lbs$

$RM = W*\bar{x} + P *B + P_{av}*2/3*D$ $RM =(7575\#)(3.21')+(1278\#)(5.50') + 885\#(2/3)=31954 ft-lbs$

$SF= RM / OTM$ $SF= 31954 ft-lbs/12048 ft-lbs=2.65$ O.K.

BEARING:

$q_{allow} = P/A\ (1 \pm (6*e)/B)$ $e=B/2-\bar{x}$ $\bar{x} = \sum M/\sum P$

$\bar{x} = \frac{19906 ft-lb}{8853\#} = 2.25'$ $e=2.75'-2.25'=.5'$

$q_{allow}=8853\#/5.5\ (1 \pm (6*.50)/5.5'$ $1610\# \pm 878\# = 2489\# max.$ O.K.

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PROJECT Somersett Area 3 Phase 1
JOB NO. 1001.01 SHEET 6 OF 10 SHEETS
CALCULATED BY HFF DATE 12/03
CHECKED BY DATE

H=8'

SLIDING;

TRY C=2.58', B=4.25' Batter=1h:6v

P_a = 2272#, P_{ah} = 2092#, P_{av} = 888#

$W=C*H*\gamma + 1/2(B-C)H*\gamma$ W=(2.58')(10')(165pcf)(.85)+1/2(4.25'-2.58')(10')(165pcf)(.85)=4792#

$F = W*\mu + P_p + P_{av}*\mu$ F=(4792#)(.45)+(888#)(.45)+885#=3441#

$SF= F / P_{ah}$ SF=3441#/2092# = 1.64 O.K.

OVERTURNING:

OTM = P *H/3 OTM = (2092#)(10'/3)= 6972ft-lbs

RM = W*x + P *B + Pav*2/3*D RM = (4792)(2.51')+(888#)(4.5') + (885#)(2'/3)=16380ft-lbs

SF= RM / OTM SF= 16380ft-lbs/6972ft-lbs=2.35 O.K.

BEARING:

$q_{allow} = P/A\ (1 \pm (6*e)/B)$ $e=B/2-\bar{x}$ $\bar{x} = \sum M/\sum P$

$\bar{x} = \frac{9408 ft-lb}{5680\#} = 1.66'$ e=2.125'-1.66'=0.46'

$q_{allow} = 5680\#/4.25\ (1 \pm (6*.46)/4.25'$ 1336#±868#=2220#max. O.K.

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PROJECT Somersett Area 3 Phase 1
JOB NO. 1001.01 SHEET 7 OF 10 SHEETS
CALCULATED BY HFF DATE 12/03
CHECKED BY DATE

H=6'

SLIDING;

TRY C=1.67', B=3.00' Batter=1h:6v

P_p = 1454 #, P_{ah} = 1339#, P_{av} = 568#

$W=C*H*\gamma + 1/2(B-C)H*\gamma$ $\quad W=(1.67')(8')(165pcf)(.85)+1/2(3.00'-1.67')(8')(165pcf)(.85)=2618\#$

$F = W*\mu + P_p + P_{av}*\mu$

$F=(2618\#)(.45)+(568\#)(.45) +(885\#)=2319\#$

$SF= F / P_{ah}$

SF= 2319#/1339# = 1.73 O.K.

OVERTURNING:

$OTM = P*H/3$ $\quad OTM = (1339\#)(8'/3)=3570 ft-lbs$

$RM = W*x + P'*B + P_{av}*2/3*D$ $\quad RM = (2618)(1.80')+(568\#)(3.00')+(885\#)(2'/3) =7011 ft-lbs$

$SF= RM / OTM$

SF= 7011ft-lbs/3570 ft-lbs=2.0 O.K.

BEARING:

$q_{allow} = P/A\ (1\pm(6*e)/B)$ $\quad e=B/2-\bar{x}$ $\quad \bar{x} = \sum M/\sum P$

$\bar{x} = \frac{3441 ft-lb}{3186\#} = 1.08'$ $\quad e=1.50'-1.08'=0.42'$

q_{allow}=3186#/3.00 (1±(6*.42)/3.00' $\quad$ 1062#±892#=1954#max. O.K.

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PROJECT Somersett Area 3 Phase 1
JOB NO. 1001.01 SHEET 8 OF 10 SHEETS
CALCULATED BY HFF DATE 12/03
CHECKED BY DATE

H=4'

SLIDING;

TRY C=1.25', B=2.25'

P_p = 818 #, P_{ah} = 753#, P_{av} = 320#

$W=C*H*\gamma + 1/2(B-C)H*\gamma$ W=(1.25')(6')(165pcf)(.85)+1/2(2.25'-1.25')(6')(165pcf)(.85)=1473#

$F = W*\mu + P_p + P_{av}*\mu$ F=(1473#)(.45)+(320#)(.45)+(885#)=1692#

$SF = F / P_{ah}$ SF= 1692#/753# = 2.25 O.K.

OVERTURNING:

OTM = P *H/3 OTM = (753#)(6'/3)= 1506ft-lbs

RM = W*x + P *B + Pav*2/3*D RM = (1473#)(1.35')+(320#)(2.25')+(885#)(2'/3)=3299ft-lbs

SF= RM / OTM SF= 3299ft-lbs/1506ft-lbs=2.2 O.K.

BEARING:

$q_{allow} = P/A\ (1 \pm (6*e)/B)$ $e = B/2 - \bar{x}$ $\bar{x} = \sum M / \sum P$

$\bar{x} = \frac{1793 ft\text{-}lb}{1793\#} = 1.00'$ e=1.125'-1.00'=-.12'

q_{allow}=1793#/2.25 (1+(6*.12)/2.25' 797#±255#=1061#max. O.K.

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PROJECT Somersett Area 3 Phase 1
JOB NO. 1001.01 SHEET 9 OF 10 SHEETS
CALCULATED BY HFF DATE 12/03
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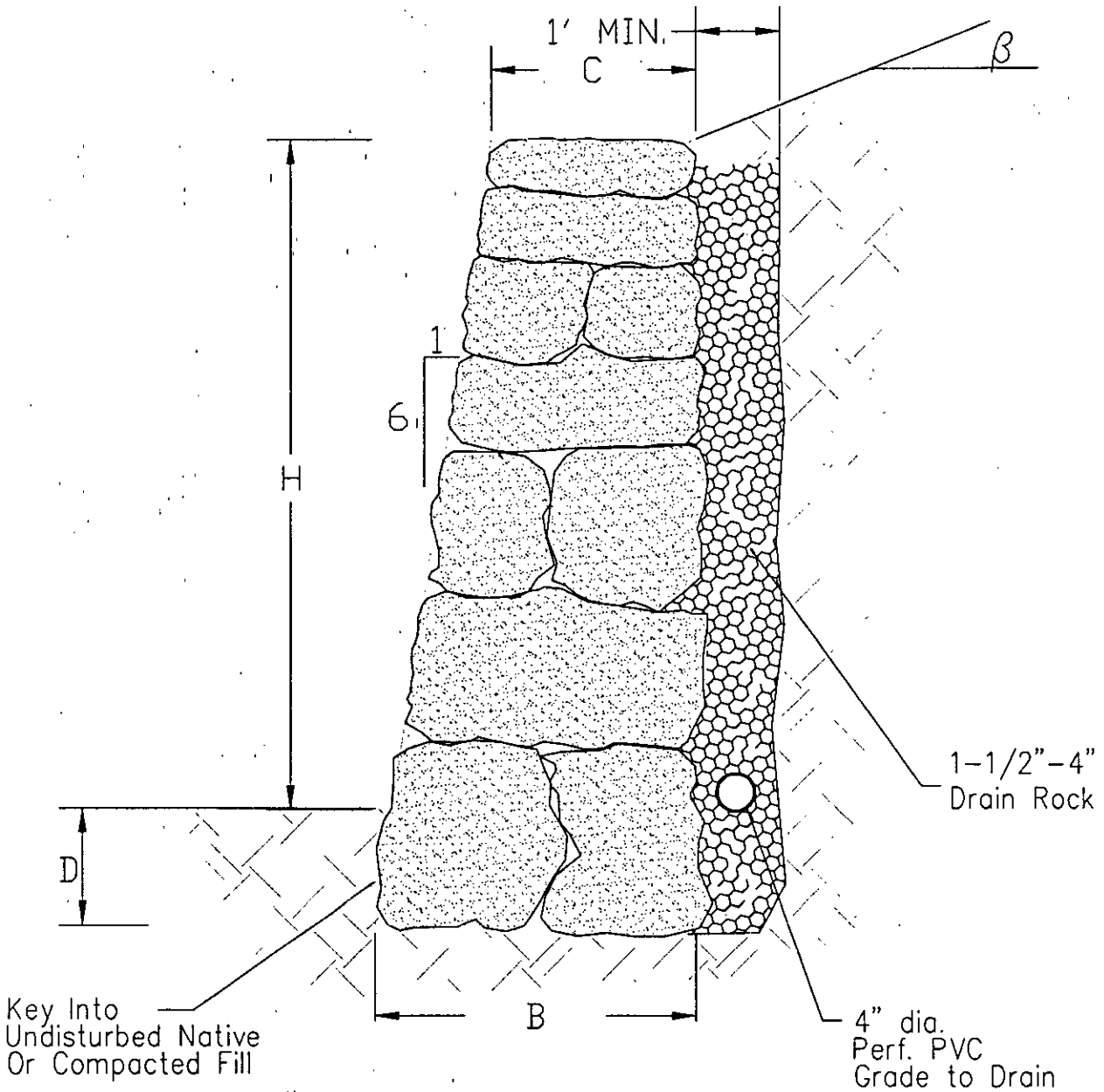

H	C	B	D	β
14'	5.83'	8.0'	2'	26.6°
12'	4.67'	7.0'	2'	26.6°
10'	3.5'	5.5'	2'	26.6°
8'	2.58'	4.25'	2'	26.6°
6'	1.67'	3.00'	2'	26.6°
4'	1.25'	2.25'	2'	26.6°

PSOA001363
AA000844

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PROJECT Somersett Area 3 Phase 1
JOB NO. 1001.01 SHEET 10 OF 10 SHEETS
CALCULATED BY HFF DATE 12/03
CHECKED BY DATE

SPECIFICATIONS

1. Rock shall be dense, angular and hand selected for each tier.

2. Rock shall be keyed in to undisturbed native earth or compacted engineered fill to the depth indicated.

3. Maximum backfill slope shall be 2 : 1.

4. Each rock shall be fitted in place and checked for stability.

5. Front face of wall shall have a batter of approximately 1 : 6.

6. Rocks shall be place such that there are no continuous joint planes either horizontally or vertically. Each rock shall bear on two or more rocks maximizing rock to rock contact.

7. Size of rocks will vary, however, the larger rocks shall be placed in the lower courses.

8. No rockery shall be constructed where footing loads from structures can surcharge any portion of the rockery.

Somersett Owners' Association
File No. 40789-01

American Geotechnical, Inc.
GEOTECHNICAL ENGINEERING / MATERIALS TESTING & INSPECTION

Rockery Wall Summary Table

AG Map #	Wall ID #	Unit/ Phase Name	Rockery Wall Permit #	Civil Designer (Page #)	Civil Plans have Detail or Cross Sec Y/N	Wall Designer	Geotechnical Report By & Date (Rockery wall rec page #)	Final Rockery Wall Report & Date	Length	Rockery Wall Observed # of Tiers	Rockery Wall Field Measured Max. Height (ft)
7	141	Area 2 Phase 1 @ Somersett (2B, 2D, G)	LDP03-07575	Sumit (Sht G-2, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	60	1	7
	142	Area 2 Phase 1 @ Somersett (2B, 2D, G)	LDP03-07575	Sumit (Sht G-2, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	834	1	9-10.5
10	1008	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-07575	Summit (Sht G-5)	Y	Harlan Fricke	Summit 07/22/04	Stantec 12/21/2006	105	1	6
15	146	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-0775	Summit (Sht G-7, G-8, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	257	1	8-10
	166	**Area 2, Phase 1 @ Somersett (2B, 2D, 2G)**	**LDP03-07575**	**Summit (Sht G-7, G-8, D-2)**	**Y**	**Harlan Fricke**		**Stantec 12/21/2006**	**347**	1	10-12
	167	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-07575	Summit (Sht G-8, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	118	2 (U)	6
	168	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-07575	Summit (Sht G-8, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	191	2 (L)	6
11	174	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-1)	N			Stantec 12/21/2006	126	1	4-10
	175	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-1)	N			Stantec 12/21/2006	108	1	4-6
	176	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-1)	N			Stantec 12/21/2006	113	1	3-6
12	304	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	230	1	5-6
	305	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-4, D-6)	N			Stantec 12/21/2006	122	2 (L)	5-6
	306	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-4, D-6)	N			Stantec 12/21/2006	388	2 (U)	6-8
	1010	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-4, D-6)	N			Stantec 12/21/2006		1	10
13	179	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	86	1	3-6
	180	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	77	1	3-5
	181	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	217	1	3-5
	182	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	149	1	5-8
20	307	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	327	1	4-10
	308	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	243	1	6
	309	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	152	1	4-8
	2002	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	374	2 (L)	10
	2003	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	235	2 (U)	10
	2004	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-8)	Y			Stantec 12/21/2006	95	3 (L)	6-8
	2005	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-8)	Y			Stantec 12/21/2006	86	3 (M)	3
	2006	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-8)	Y			Stantec 12/21/2006	75	3 (U)	6
	2007	Area 3, Phase 1 @ Somersett	LDP03-11535	?				Stantec 12/21/2006	78	1	5
21	310	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit G-6/D-8 of 89	Y			Stantec 12/21/2006	311	1	8
	311	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit G-7/D-9 of 89	Y			Stantec 12/21/2006	187	1	8
	312	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit G-7 of 89 Rev 7/7	Y			Stantec 12/21/2006	100	1	8
22	**197**	**Autumn Ridge 1 @ Somersett**	**LDP02-00206**	**Summit (G-4, D-3)**	**Y**			**Stantec 12/21/2006**	**191**	1	10-12
	198	**Autumn Ridge 1 @ Somersett**	**LDP02-00206**	**Summit (G-4, D-3)**	**Y**			**Stantec 12/21/2006**	**41**	1	12
	199	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-4, D-3)	Y			Stantec 12/21/2006	398	1	5
	200	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006	62	3 (L)	8
	201	**Autumn Ridge 1 @ Somersett**	**LDP02-00206**	**Summit (G-2, D-3)**	**Y**			**Stantec 12/21/2006**	**103**	3 (M)	12
	202	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006	124	3 (U)	6
	203	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-3, D-3)	Y			Stantec 12/21/2006	50	2 (L)	8
	204	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-3, D-3)	Y			Stantec 12/21/2006	78	2 (U)	8
	205	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006		1	MASONRY WALL
	206	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006	72	1	5-6
	275	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (Sht G-1, D-3)	Y			Stantec 12/21/2006	110	1	4.5
	276	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (Sht G-1, D-3)	Y			Stantec 12/21/2006	236	1	2.5
	207	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	148	2 (U)	5-6
	208	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	39	2 (L)	8
	209	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	46	1	10
	210	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	52	1	10
	277	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (Sht G-1, D-2)	Y			Stantec 12/21/2006	310	1	5-10
										171	67

374 Total walls field mapped
171 Rockery Walls with at least 2 Tiers
67 Rockery Wall Height Measured to be Greater than 10 fee
Areas covered by letter by Mr. Theodore Chrissinger of HCKV to Mr. John Samberg of WRSSR dated 05/07/19 which points out Mr. Harlan Fricke's wall design is higher than 10 feet. PSOA 07922-7931 (Area 2, Phase 1), 1354-1364 (Area 3, Phase 1), 7162-7166 Autumn Ridge)
Walls within areas covered which plans show are not to exceed 10 feet in height
The only location where the plans and specifications allowed for a wall that was greater than 10 feet and was confirmed through our firld measurements to be greater than 10 feet.

EXHIBIT 41

EXHIBIT 41

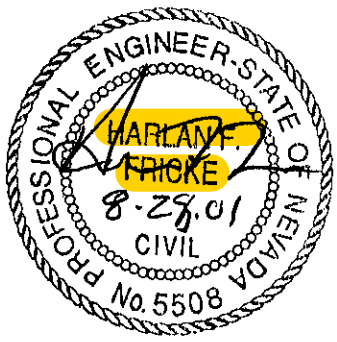
LDP02-00206

230 South Rock Blvd. Ste.100
Reno, Nevada 89502

Stability Calculations
for
Dry Hand Stacked Rock Walls

Autumn Ridge
Reno, Nevada

Prepared for:
Parsons Brothers
P.O. Box 40694
Reno, Nevada 89504



August 31, 2001

PLANNING
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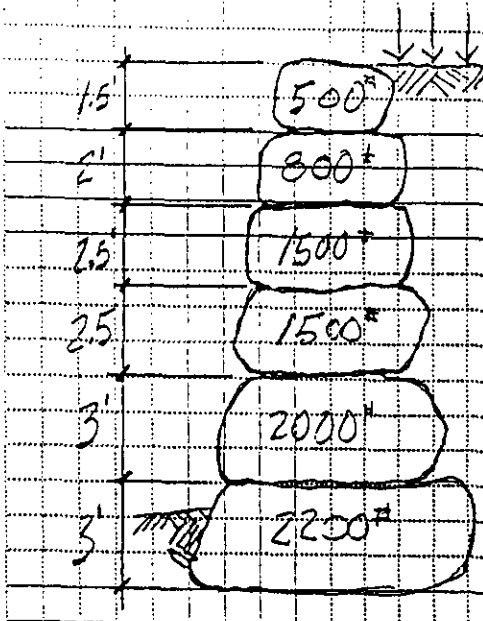
PROJECT Autumn Ridge
JOB NO. 2158.01 SHT 1 OF 4
CALCULATED BY HF DATE 8.2001
CHECKED BY _____ DATE _____

Rockery Wall 5'-14'



Assumptions

$\gamma_{rock} = 165\ \#/FT^3$
$\gamma_{soil} = 110\ \#/FT^3$
$\gamma_{rock-soil} = 0.4$
$\gamma_{rock-rock} = 0.7$
$EFP = 30\ \#/FT^2/FT$
Passive Resist. = $300\ \#/FT^2/FT$
Rock wgts are per lineal foot of wall
$K_a = 0.30$

1st Tier (Exterior)

Total normal force = 8500#
Resist. to Sliding = (8500)(0.40) = 3400
$+ \frac{1}{2}(2)(300) = 600\#$
4000

Total lateral load =
$30(14.5)^2/2 + 30(3)(14.5) =$ 3284# < 4000# OK

2nd Tier

Total normal force = 6300#
Resist. To Sliding = (6300#)(.7) = 4410#
Lateral Load = $\frac{1}{2}(30)(11.5)^2 + 30(3)(11.5) = 2087\# < 4410$ OK

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PROJECT Autumn Ridge
JOB NO. 2158.01 SHT 2 OF 4
CALCULATED BY HF DATE 8.2001
CHECKED BY _____ DATE _____

3rd Tier

Tot Normal Force = 4300#
Resist to Sliding = 4300(0.7) = 3010#
Lat. Load
½(30)(9)² + 30(.3)(9) = 1296# < 3010# OK

4th Tier

Tot. Normal Force = 2800#
Res. to Sliding = (2300#)(0.4) = 1120#
Lat. Load
½(30)(6.5)² + 30(.3)(6.5) = 692# < 1120# OK

5th Tier

Tot Normal Force = 1300#
Res. To Sliding = 1300(.7) = 910#
Lat. Load =
½(30)(4)² + 30(.3)(4) = 276# < 910# OK

6th Tier

Tot. Normal Force = 500#
Res. To Sliding 500(.7) = 350#
Lat. Load = ½(30)(1.5)² + 30(.3)1.5 = 47.25# < 350# OK

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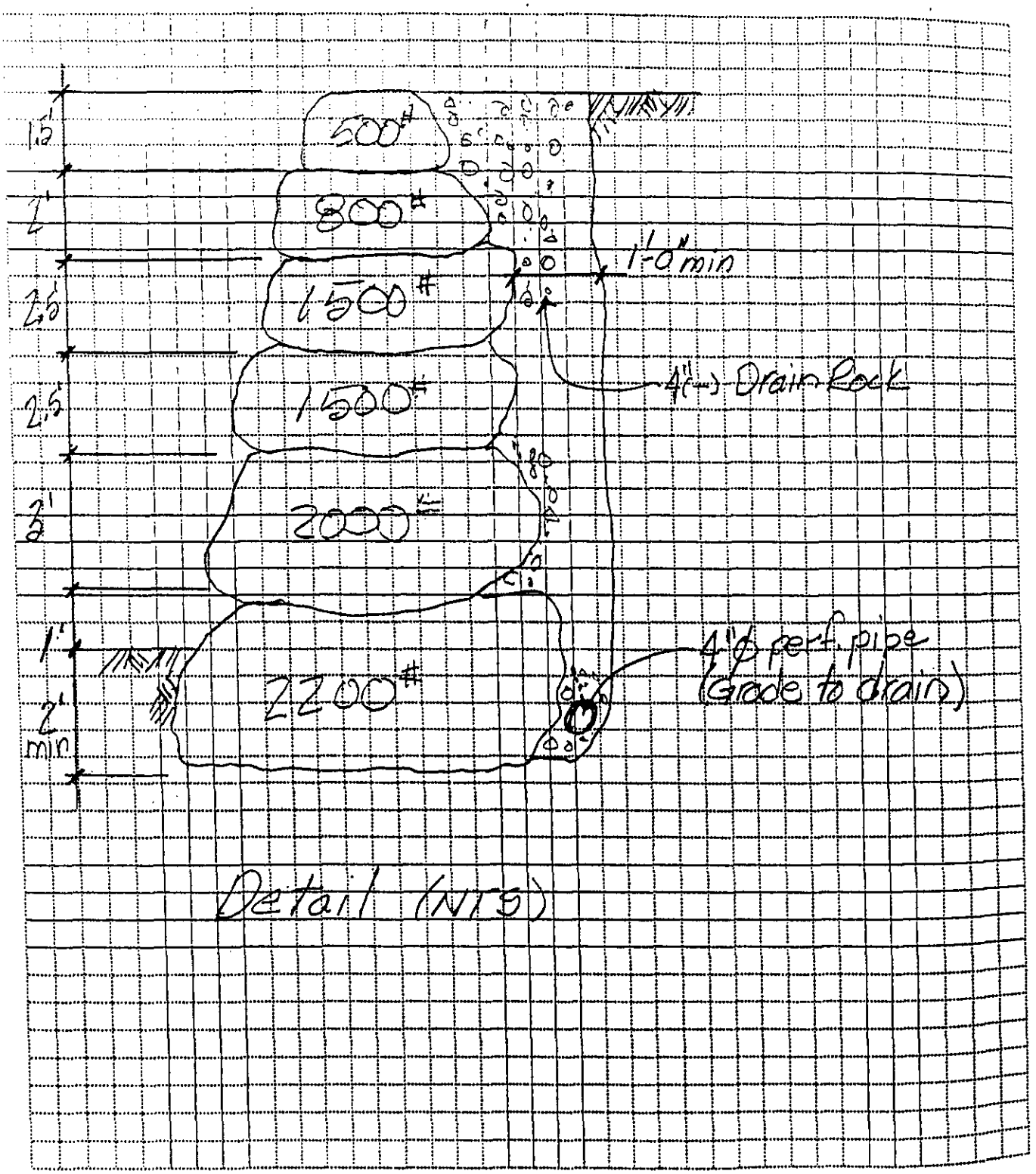
PROJECT Autumn Ridge
JOB NO. 2158.01 SHT 3 OF 4
CALCULATED BY HF DATE 8.2001
CHECKED BY _____ DATE _____



Detail (NTS)

PLANNING
ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE

250 South Rock Blvd. Ste. 100
Reno, Nevada 89502

Phone (775) 332-4920 E.mail fpe@fpe-reno.com Fax (775) 332-4933

PROJECT Autumn Ridge
JOB NO. 2158.01 SHT 4 OF 4
CALCULATED BY HF DATE 8 2011
CHECKED BY _____ DATE _____

Specifications

1. Rock shall be dense, angular, and hand selected for each tier.
2. Rock shall be keyed into and disturbed native soil a min. of 2'-0".
3. Max backfill slope shall be 2:1 (H:V)
4. Each rock shall be fitted into place and checked for stability
5. Batter the front face of rockery approx 1' horiz. to 6' vert.
6. Rocks shall be placed such that there are no continuous joint planes either horizontally or vertically. Each rock shall bear on two or more rocks beneath it with maximum rock to rock contact.
7. Sizes of rock shown are approximate however larger and angular rock will produce a more competent rockery
8. No rockery shall be placed where footing loads from structures could surcharge any part of the rockery

CIVIL IMPROVEMENT PLANS FOR

AUTUMN RIDGE @ SOMERSETT ~ PHASE 1

RENO WASHOE COUNTY NEVADA

LDP02-0026

IMPORTANT:
THIS SUBDIVISION COULD BE SOLELY AND FULLY RESPONSIBLE FOR THE COMPLETION OF SOMERSETT PASS ROAD AND THE SOMERSETT EASTERN OFFSITE SEWER IF THEY ARE NOT COMPLETED BY THE MASTER DEVELOPER

Rockery Walls

OWNER/DEVELOPER

SOMERSETT DEVELOPMENT COMPANY, L.L.C.
100 WEST LIBERTY, SUITE 990
RENO, NEVADA 89501
(775) 323-1405

BASIS OF BEARINGS AND COORDINATES

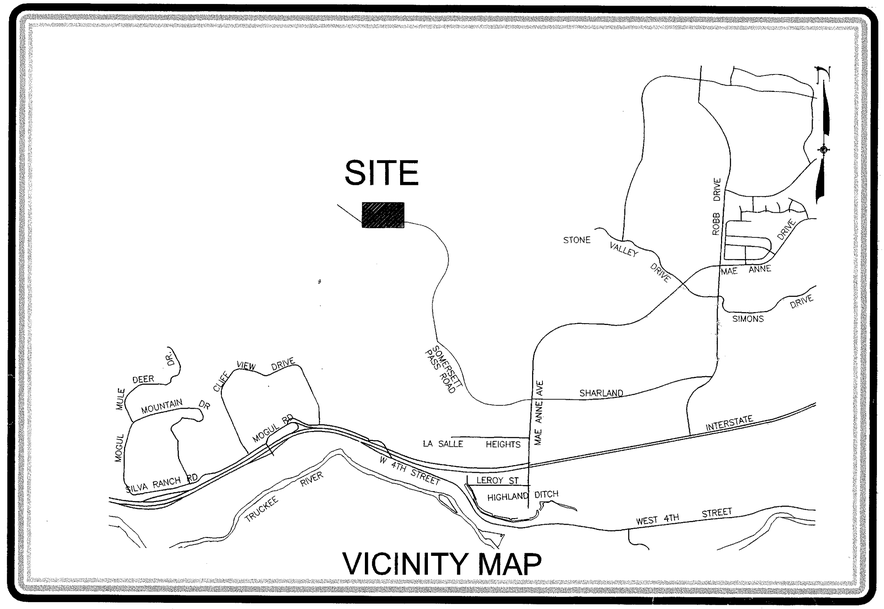
THE BASIS OF BEARINGS AND COORDINATES FOR THIS SURVEY WERE ESTABLISHED USING THE PUBLISHED COORDINATES (NAD 83/94, NEVADA WEST ZONE) FOR NGS POINTS "CHALK BLUFF" AND "RENO AIR BASE", WHICH BEARS NORTH 05°04'53" WEST, MODIFIED BY A COMBINED FACTOR COMBINED FACTOR WAS CALCULATED BY MULTIPYLYING THE PUBLISHED SCALE FACTOR AT NGS POINT "DARK" (1.00006097) BY AN ELEVATION FACTOR OF 0.99976089140 WHICH PROJECTS THE GRID TO ELEVATION OF 5,000 FEET. ALL DIMENSIONS ON THIS MAP ARE GROUND DISTANCES.

BASIS OF ELEVATION

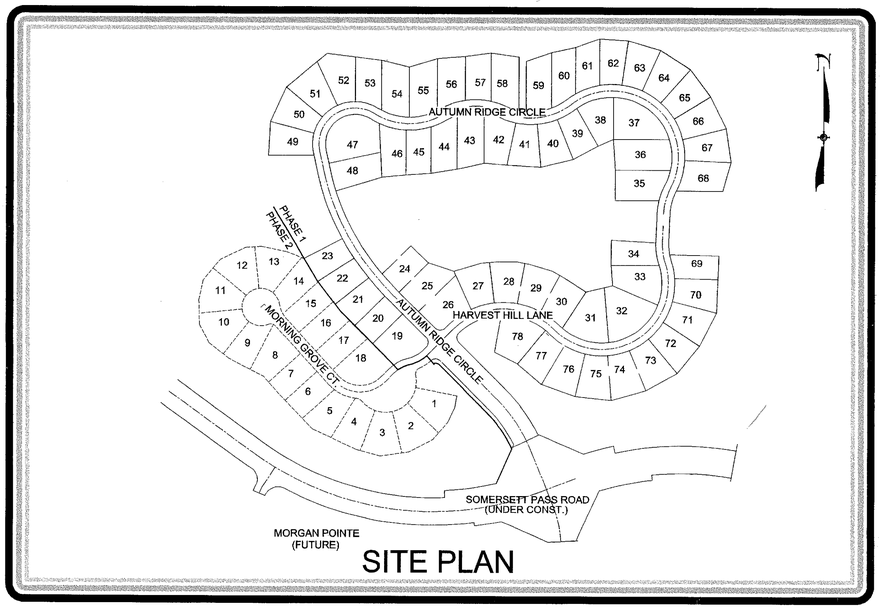
CITY OF RENO BENCHMARK 2140 TAKEN AS 4971.513 FEET
(CITY OF RENO PUBLISHED ELEVATION OF 4971.313

ABBREVIATIONS

AC	.....	ASPHALTIC CONCRETE	L	.....	LENGTH
BC	.....	BEGINNING OF CURVE	LF	.....	LINEAL FEET
BF	.....	BOTTOM OF FOOTING	LP	.....	LOW POINT
BFC	.....	BACK FACE OF CURB	M.D.D.	.....	MAXIMUM DRY DENSITY
BVC	.....	BEGINNING OF VERTICAL CURVE	MIN.	.....	MINIMUM
BW	.....	BACK OF SIDEWALK	MJ	.....	MECHANICAL JOINT
CB	.....	CATCH BASIN	MPOC	.....	MID POINT OF CURVE
℄ or CL	.....	CENTERLINE	PI	.....	POINT OF INTERSECTION
CMP	.....	CORRUGATED METAL PIPE	PCC	.....	POINT OF COMPOUND CURVATURE
CONST.	.....	CONSTRUCT	PRC	.....	POINT OF REVERSE CURVATURE
DI	.....	DROP INLET	PVC	.....	POLYVINYL CHLORIDE
D.I.P.	.....	DUCTILE IRON PIPE	R	.....	RADIUS
ELEV.	.....	ELEVATION	REF.	.....	REFERENCE
EC	.....	END OF CURVE	RET.	.....	RETURN
EP	.....	EDGE OF PAVEMENT	RCP	.....	REINFORCED CONCRETE PIPE
EVC	.....	END OF VERTICAL CURVE	RP	.....	RADIUS POINT
EXIST.	.....	EXISTING	RT.	.....	RIGHT
(e)	.....	EXISTING	R/W	.....	RIGHT OF WAY
FF	.....	FINISH FLOOR	SD	.....	STORM DRAIN
FFC	.....	FRONT FACE OF CURB	SS	.....	SANITARY SEWER
FG	.....	FINISH GRADE	SF	.....	SQUARE FEET
FLG	.....	FLANGED	SSMH	.....	SANITARY SEWER MANHOLE
FH	.....	FIRE HYDRANT	SDMH	.....	STORM DRAIN MANHOLE
FL	.....	FLOWLINE	S	.....	SLOPE
G	.....	GAS	STA.	.....	STATION
GB	.....	GRADE BREAK	TC	.....	TOP OF CURB
HORIZ.	.....	HORIZONTAL	TYP.	.....	TYPICAL
IE	.....	INVERT ELEVATION	V.C.	.....	VERTICAL CURVE
LAT.	.....	LATERAL	V.P.I.	.....	VERTICAL POINT OF INTERSECTION
LT.	.....	LEFT	W	.....	WATER



VICINITY MAP



SITE PLAN

ENGINEER

SUMMIT™ ENGINEERING CORPORATION

SHEET INDEX

RECEIVED
JAN 18 '02
CITY OF RENO

SPECIFICATIONS

ALL CONSTRUCTION SHALL CONFORM TO THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (1996 EDITION AND ANY APPURTENANT SUPPLEMENTS) SPONSORED AND DISTRIBUTED BY RENO, SPARKS, AND WASHOE COUNTY, AND THE RECOMMENDATIONS ESTABLISHED BY THE SOILS INVESTIGATION OF THIS SITE AS PREPARED BY SUMMIT ENGINEERING DATED MAY, 2001.

ENGINEER'S STATEMENT

THESE PLANS (SHEETS T-1 OF 39 THROUGH SD-1 OF 39) HAVE BEEN PREPARED IN ACCORDANCE WITH THE APPROVED SPECIAL USE PERMIT, CITY OF RENO CONDITIONS OF APPROVAL, WITH ACCEPTED ENGINEERING PROCEDURES AND GUIDELINES, AND ARE IN SUBSTANTIAL COMPLIANCE WITH APPLICABLE STATUTES, CITY ORDINANCES, AND CODES. IN THE EVENT OF A CONFLICT BETWEEN ANY PORTION OF THESE PLANS AND THE CITY CODES, THE CITY CODES SHALL PREVAIL.

PROFESSIONAL ENGINEER-STATE OF NEVADA ERIC W LATTIN CIVIL NO. 15220

ERIC W. LATTIN P.E. #15220

PSOA003115

AA000853

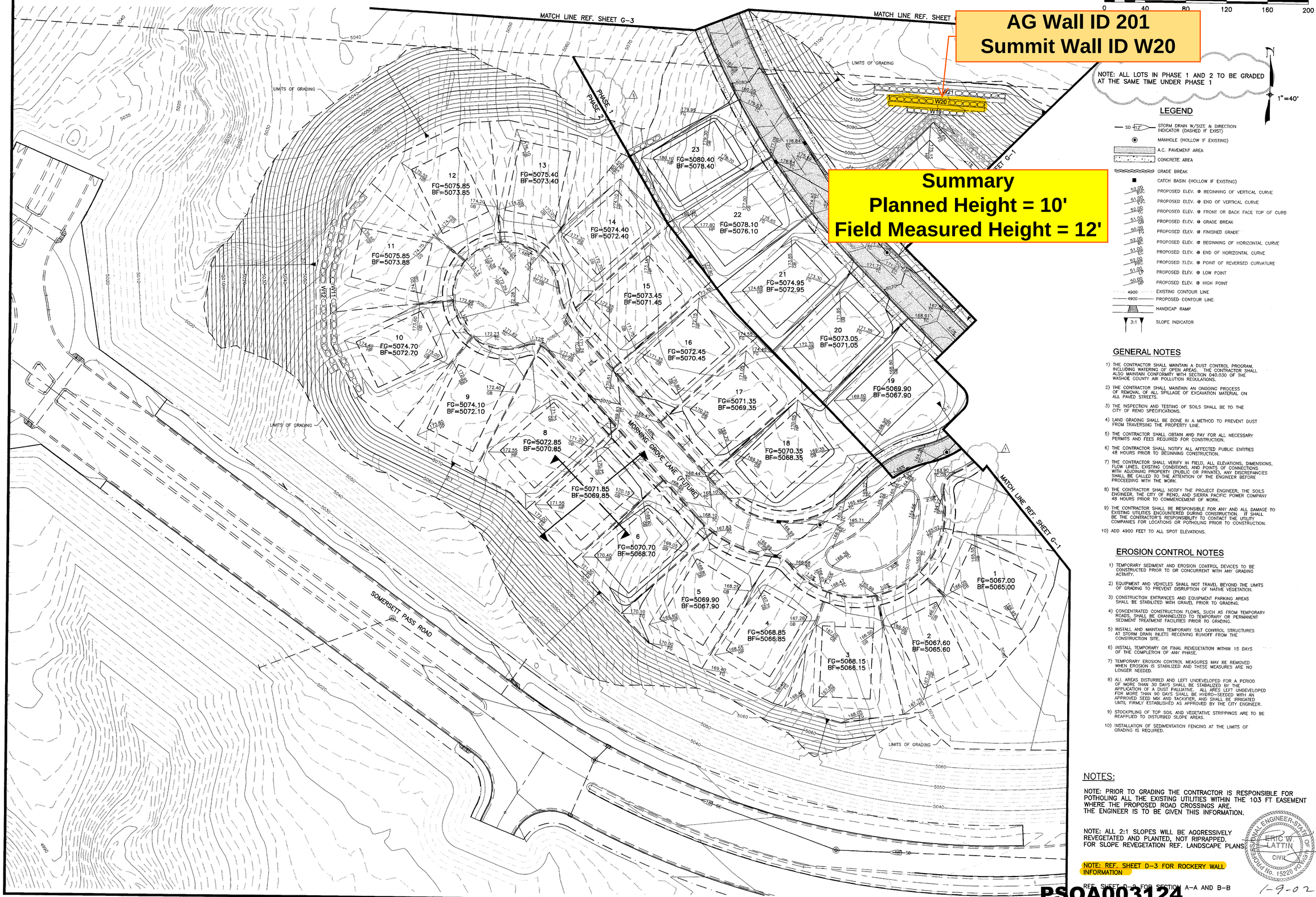
SUMMIT ENGINEERING CORPORATION
5405 MAE ANNE AVE. RENO, NV. 89523
PHONE: (775) 747-8550 FAX: (775) 747-8559

DESIGNED BY: EWL
DRAWN BY: ACAD14
CHECKED BY: EWL

CIVIL IMPROVEMENT PLANS FOR
AUTUMN RIDGE @ SOMERSETT ~ PH. 1
TITLE SHEET
WASHOE COUNTY NEVADA
RENO

REV.	DATE	DESCRIPTION	BY	APPD
1	12/20/01	SIDEWALK PER CITY OF RENO	TDH	EWL
2	12/28/01	PHASEING & SEWER TO E DEPTH	TDH	EWL

SHEET T-1 OF 39
SCALE
HORIZ:
VERT:
JOB NO:
N:\DWGS\Somersett\AUTUMN\Final\AU-TIT.DWG - 9:06 AM * 31-DEC-2001



LEGEND

- STORM DRAIN W/SIZE & DIRECTION INDICATOR (DASHED IF EXIST)
- MANHOLE (HOLLOW IF EXISTING)
- A.C. PAVEMENT AREA
- CONCRETE AREA
- GRADE BREAK
- CATCH BASIN (HOLLOW IF EXISTING)
- PROPOSED ELEV. @ BEGINNING OF VERTICAL CURVE
- PROPOSED ELEV. @ END OF VERTICAL CURVE
- PROPOSED ELEV. @ FRONT OR BACK FACE TOP OF CURB
- PROPOSED ELEV. @ GRADE BREAK
- PROPOSED ELEV. @ FINISHED GRADE
- PROPOSED ELEV. @ BEGINNING OF HORIZONTAL CURVE
- PROPOSED ELEV. @ END OF HORIZONTAL CURVE
- PROPOSED ELEV. @ POINT OF REVERSED CURVATURE
- PROPOSED ELEV. @ LOW POINT
- PROPOSED ELEV. @ HIGH POINT
- EXISTING CONTOUR LINE
- PROPOSED CONTOUR LINE
- HANDICAP RAMP
- SLOPE INDICATOR

GENERAL NOTES

1) THE CONTRACTOR SHALL MAINTAIN A DUST CONTROL PROGRAM, INCLUDING WATERING OF OPEN AREAS. THE CONTRACTOR SHALL ALSO MAINTAIN CONFORMITY WITH SECTION 040.030 OF THE WASHOE COUNTY AIR POLLUTION REGULATIONS.
2) THE CONTRACTOR SHALL MAINTAIN AN ONGOING PROCESS OF REMOVAL OF ALL SPILLAGE OF EXCAVATION MATERIAL ON ALL PAVED STREETS.
3) THE INSPECTION AND TESTING OF SOILS SHALL BE TO THE CITY OF RENO SPECIFICATIONS.
4) LAND GRADING SHALL BE DONE IN A METHOD TO PREVENT DUST FROM TRAVERSING THE PROPERTY LINE.
5) THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL NECESSARY PERMITS AND FEES REQUIRED FOR CONSTRUCTION.
6) THE CONTRACTOR SHALL NOTIFY ALL AFFECTED PUBLIC ENTITIES 48 HOURS PRIOR TO BEGINNING CONSTRUCTION.
7) THE CONTRACTOR SHALL VERIFY IN FIELD, ALL ELEVATIONS, DIMENSIONS, FLOW LINES, EXISTING CONDITIONS, AND POINTS OF CONNECTIONS WITH ADJOINING PROPERTY (PUBLIC OR PRIVATE), ANY DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE ENGINEER BEFORE PROCEEDING WITH THE WORK.
8) THE CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER, THE SOILS ENGINEER, THE CITY OF RENO, AND SIERRA PACIFIC POWER COMPANY 48 HOURS PRIOR TO COMMENCEMENT OF WORK.
9) THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO EXISTING UTILITIES ENCOUNTERED DURING CONSTRUCTION. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES FOR LOCATIONS OR POTHOLING PRIOR TO CONSTRUCTION.
10) ADD 4900 FEET TO ALL SPOT ELEVATIONS.

EROSION CONTROL NOTES

1) TEMPORARY SEDIMENT AND EROSION CONTROL DEVICES TO BE CONSTRUCTED PRIOR TO OR CONCURRENT WITH ANY GRADING ACTIVITY.
2) EQUIPMENT AND VEHICLES SHALL NOT TRAVEL BEYOND THE LIMITS OF GRADING TO PREVENT DISRUPTION OF NATIVE VEGETATION.
3) CONSTRUCTION ENTRANCES AND EQUIPMENT PARKING AREAS SHALL BE STABILIZED WITH GRAVEL PRIOR TO GRADING.
4) CONCENTRATED CONSTRUCTION FLOWS, SUCH AS FROM TEMPORARY ROADS, SHALL BE CHANNELIZED TO TEMPORARY OR PERMANENT SEDIMENT TREATMENT FACILITIES PRIOR TO GRADING.
5) INSTALL AND MAINTAIN TEMPORARY SILT CONTROL STRUCTURES AT STORM DRAIN INLETS RECEIVING RUNOFF FROM THE CONSTRUCTION SITE.
6) INSTALL TEMPORARY OR FINAL REVEGETATION WITHIN 15 DAYS OF THE COMPLETION OF ANY PHASE.
7) TEMPORARY EROSION CONTROL MEASURES MAY BE REMOVED WHEN EROSION IS STABILIZED AND THESE MEASURES ARE NO LONGER NEEDED.
8) ALL AREAS DISTURBED AND LEFT UNDEVELOPED FOR A PERIOD OF MORE THAN 30 DAYS SHALL BE STABILIZED BY THE APPLICATION OF A DUST PALLIATIVE. ALL ARES LEFT UNDEVELOPED FOR MORE THAN 90 DAYS SHALL BE HYDRO-SEEDED WITH AN APPROVED SEED MIX AND TACKIFIER, AND SHALL BE IRRIGATED UNTIL FIRMLY ESTABLISHED AS APPROVED BY THE CITY ENGINEER.
9) STOCKPILING OF TOP SOIL AND VEGETATIVE STRIPPINGS ARE TO BE REAPPLIED TO DISTURBED SLOPE AREAS.
10) INSTALLATION OF SEDIMENTATION FENCING AT THE LIMITS OF GRADING IS REQUIRED.

NOTES:

NOTE: PRIOR TO GRADING THE CONTRACTOR IS RESPONSIBLE FOR POTHOLING ALL THE EXISTING UTILITIES WITHIN THE 103 FT EASEMENT WHERE THE PROPOSED ROAD CROSSINGS ARE. THE ENGINEER IS TO BE GIVEN THIS INFORMATION.

NOTE: ALL 2:1 SLOPES WILL BE AGGRESSIVELY REVEGETATED AND PLANTED, NOT RIPRAPPED. FOR SLOPE REVEGETATION REF. LANDSCAPE PLANS

NOTE: REF. SHEET D-3 FOR ROCKERY WALL INFORMATION

REF. SHEET D-2 FOR SECTION A-A AND B-B

PROFESSIONAL ENGINEER STATE OF NEVADA ERIC W. LATTIN CIVIL No. 15220

1-9-02

PSOA003124

SUMMIT ENGINEERING CORPORATION
5405 MAE ANNE AVE, RENO, NV. 89523
PHONE: (775) 747-8550 FAX: (775) 747-8559

DESIGNED BY: TOH
DRAWN BY: ACAD14
CHECKED BY: EWL

CIVIL IMPROVEMENT PLANS FOR AUTUMN RIDGE @ SOMERSETT ~ PH. 1 GRADING PLAN

RENO — WASHOE COUNTY — NEVADA

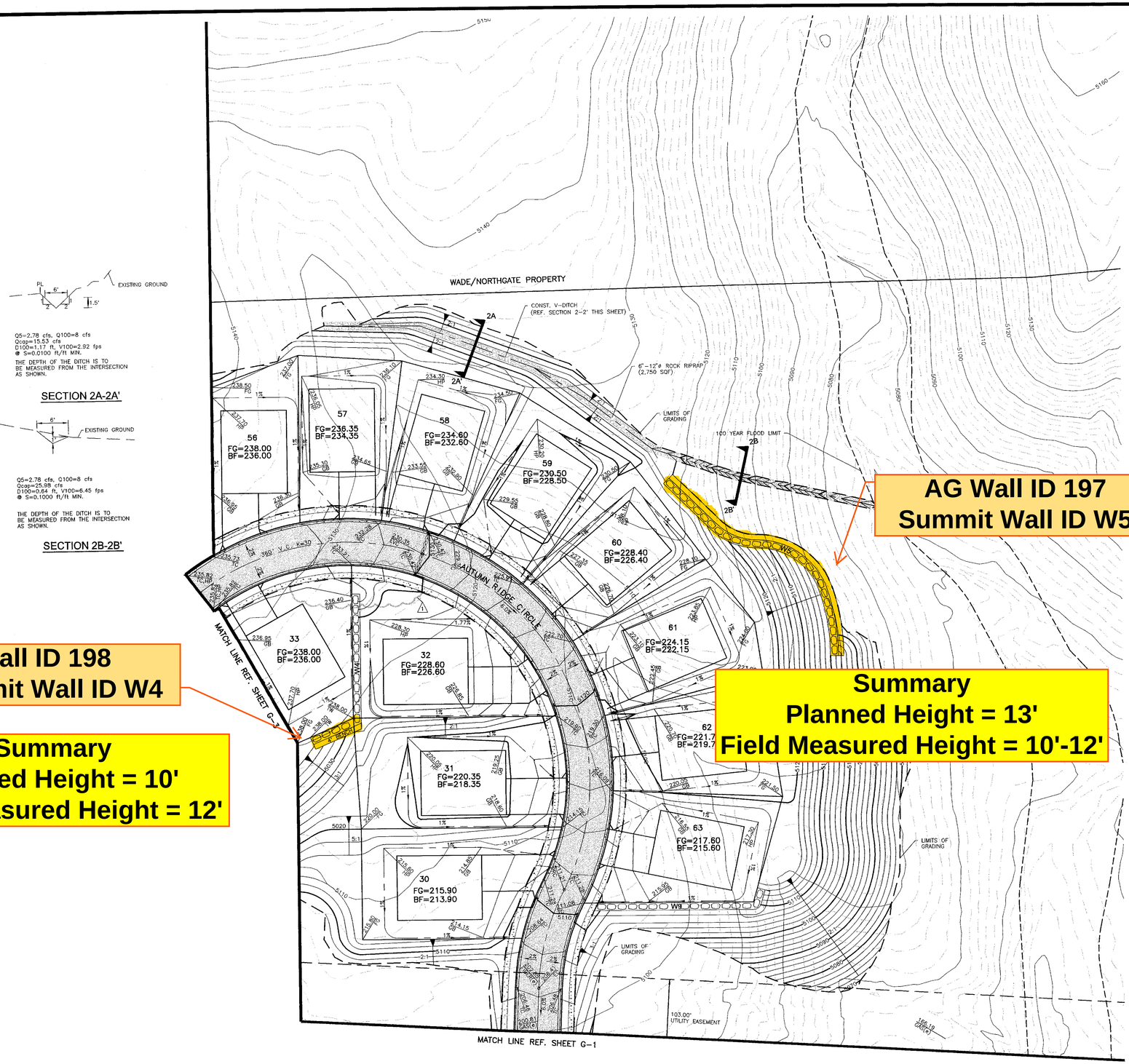
REV.	DATE	DESCRIPTION	BY	APP'D
1	12/10/01	PER CITY OF RENO	TOH	MD
2	12/28/01	PHASEING & SEWER TO 8' DEPTH	TOH	EWL

SCALE — HORIZ: 1"=40' — VERT: — JOB NO:

N:\DWG\SIS\somersett\AUTUMN\Final\AU-G2.DWG - 8:55 AM - 31-DEC-2001

SHEET G-2 OF 39

AA000854



Q5=2.78 cfs, Q100=8 cfs
Qcap=15.53 cfs
D100=1.17 ft, V100=2.92 fps
@ S=0.0100 ft/ft MIN.

THE DEPTH OF THE DITCH IS TO BE MEASURED FROM THE INTERSECTION AS SHOWN.

SECTION 2A-2A'

Q5=2.78 cfs, Q100=8 cfs
Qcap=25.98 cfs
D100=0.64 ft, V100=6.45 fps
@ S=0.1000 ft/ft MIN.

THE DEPTH OF THE DITCH IS TO BE MEASURED FROM THE INTERSECTION AS SHOWN.

SECTION 2B-2B'

0 40 80 120 160 200

NOTE: ALL LOTS IN PHASE 1 AND 2 TO BE GRADED AT THE SAME TIME UNDER PHASE 1

1"=40'

LEGEND

- STORM DRAIN W/SIZE & DIRECTION INDICATOR (DASHED IF EXIST)
- MANHOLE (HOLLOW IF EXISTING)
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- CONCRETE AREA
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NOTE: REF. SHEET D-3 FOR ROCKERY WALL INFORMATION

PROFESSIONAL ENGINEER STATE OF NEVADA ERIC W LATTIN No. 15220 CIVIL

1-9-02

PSOA003126

SUMMIT ENGINEERING CORPORATION
5405 MAE ANNE AVE. RENO, NV. 89523
PHONE: (775) 747-8550 FAX: (775) 747-8559

DESIGNED BY: RG
DRAWN BY: ACAD14
CHECKED BY: EWL

CIVIL IMPROVEMENT PLANS FOR AUTUMN RIDGE @ SOMERSETT ~ PH. 1 GRADING PLAN

RENO WASHOE COUNTY NEVADA

REV.	DATE	DESCRIPTION	BY	APP'D
1	12/10/01	PER CITY OF RENO	TDH	MID
2	12/28/01	PHASING & SEWER TO 8' DEPTH	TDH	EWL

SCALE HORIZ: 1"=40' VERT:

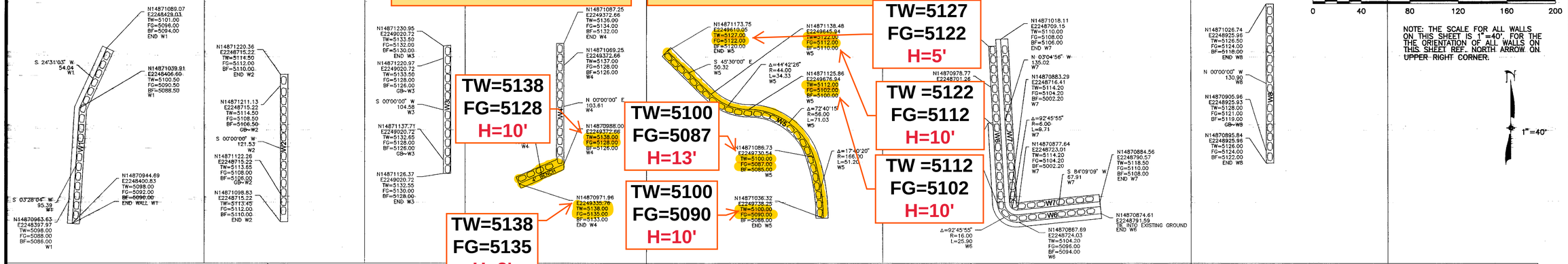
JOB NO: N:\DWGS\Somersett\AUTUMN\Final\AU-G4.DWG - 8:56 AM - 31-DEC-2001

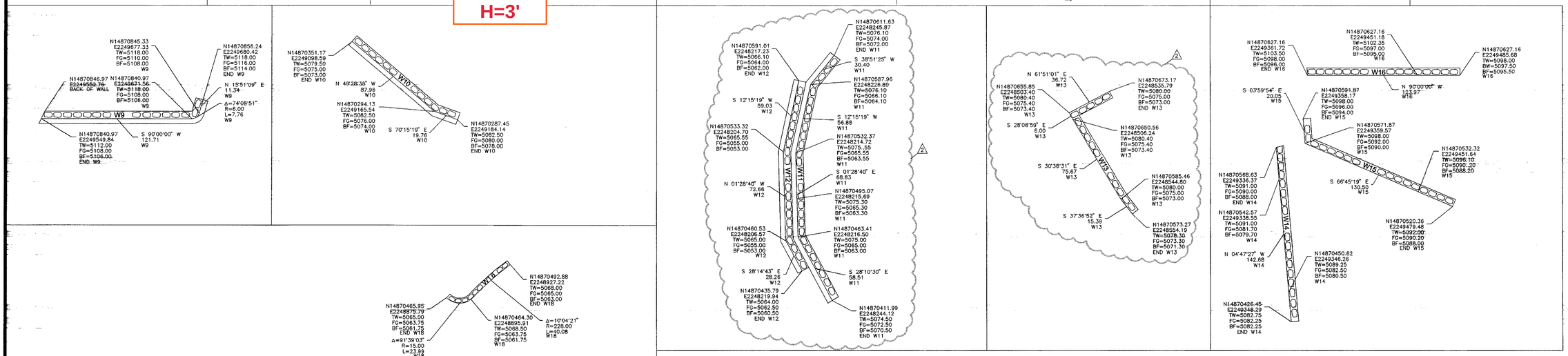
SHEET G-4 OF 39

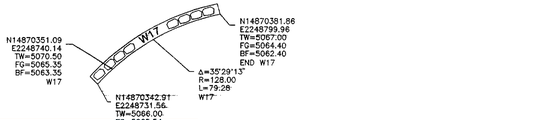
AA000855

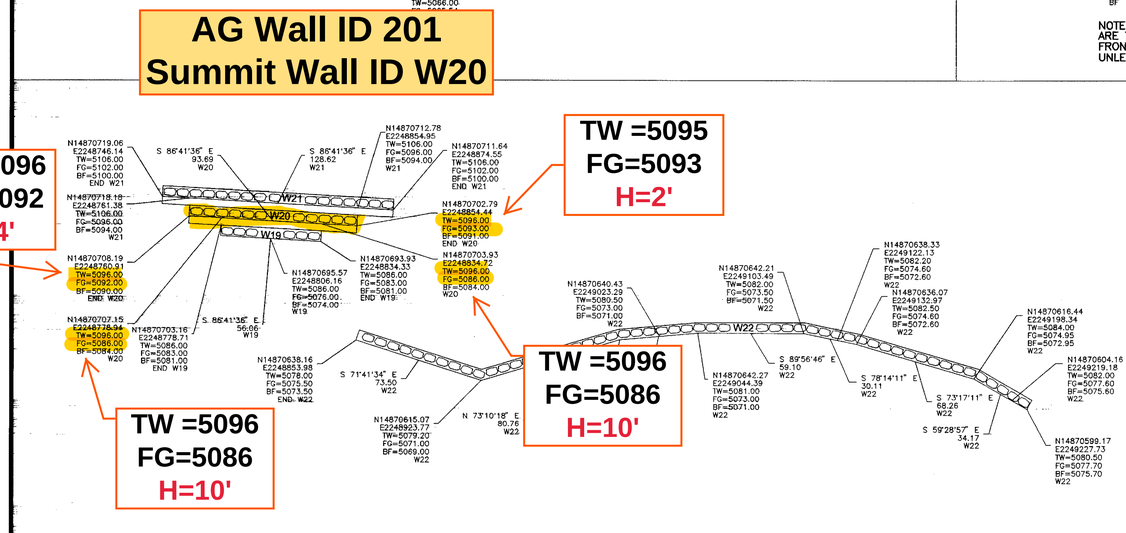
AG Wall ID 198
Summit Wall ID W4

AG Wall ID 197
Summit Wall ID W5





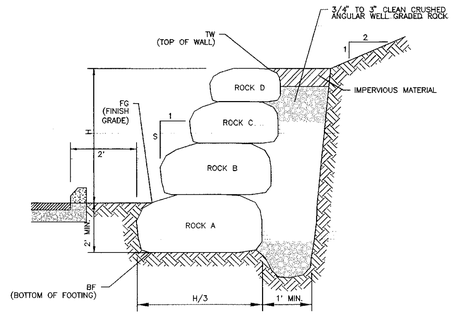




LEGEND

W10	WALL NUMBER
TW	TOP OF WALL
FG	FINISH GRADE
BF	BOTTOM OF FOOTING

NOTE: ALL LABELS ON THE WALLS ARE TO BE CONSIDERED ON THE FRONT FACE OF THE WALLS UNLESS OTHERWISE LABELED.



WALL HEIGHT
0 TO 8'
8' TO 11'

WALL HEIGHT	S	ROCK A	ROCK B	ROCK C	ROCK D
0 TO 8'	6	6 MAN	5 MAN	4 MAN	---
8' TO 11'	4	6 MAN	5 MAN	4 MAN	3 MAN

ROCK SPECS

ROCK	WEIGHT	SIZE
1 MAN	50–200#'S	12"–18"
2 MAN	200–700#'S	18"–28"
3 MAN	700–2000#'S	28"–36"
4 MAN	2000–4000#'S	36"–48"
5 MAN	4000–6000#'S	48"–54"
6 MAN	6000–8000#'S	54"–60"

ROCKS SHALL BE SOUND, WEATHERING RESISTANT ANGULAR LEDGE ROCK.
a. ABSORPTION: ≤ 2% IGNEOUS METAMORPHIC
≤ 3% SEDIMENTARY
b. ACCELERATED EXPANSION (CRD-<-148) < 15% BREAKDOWN
c. SOUNDNESS (CRD-<-137) ≤ 5% LOSS
d. UNCONFINED COMPRESSIVE STRENGTH (ASTM D 2938-79):
≥ 15,000 psi IGNEOUS METAMORPHIC
≥ 8,000 psi SEDIMENTARY

ROCKERY WALL

SUMMIT ENGINEERING CORPORATION
5405 MAE ANNE AVE. RENO, NV. 89523
PHONE: (775) 747-8550 FAX: (775) 747-8559

DESIGNED BY: RG
DRAWN BY: ACAD14
CHECKED BY: EWL

REV.	DATE	DESCRIPTION	BY	APP'D
2	12/21/01	PHASING AND SEWER DEPTH PER ENGINEER	JSP	EWL

CIVIL IMPROVEMENT PLANS FOR AUTUMN RIDGE @ SOMERSETT ~ PH. 1 DETAIL SHEET

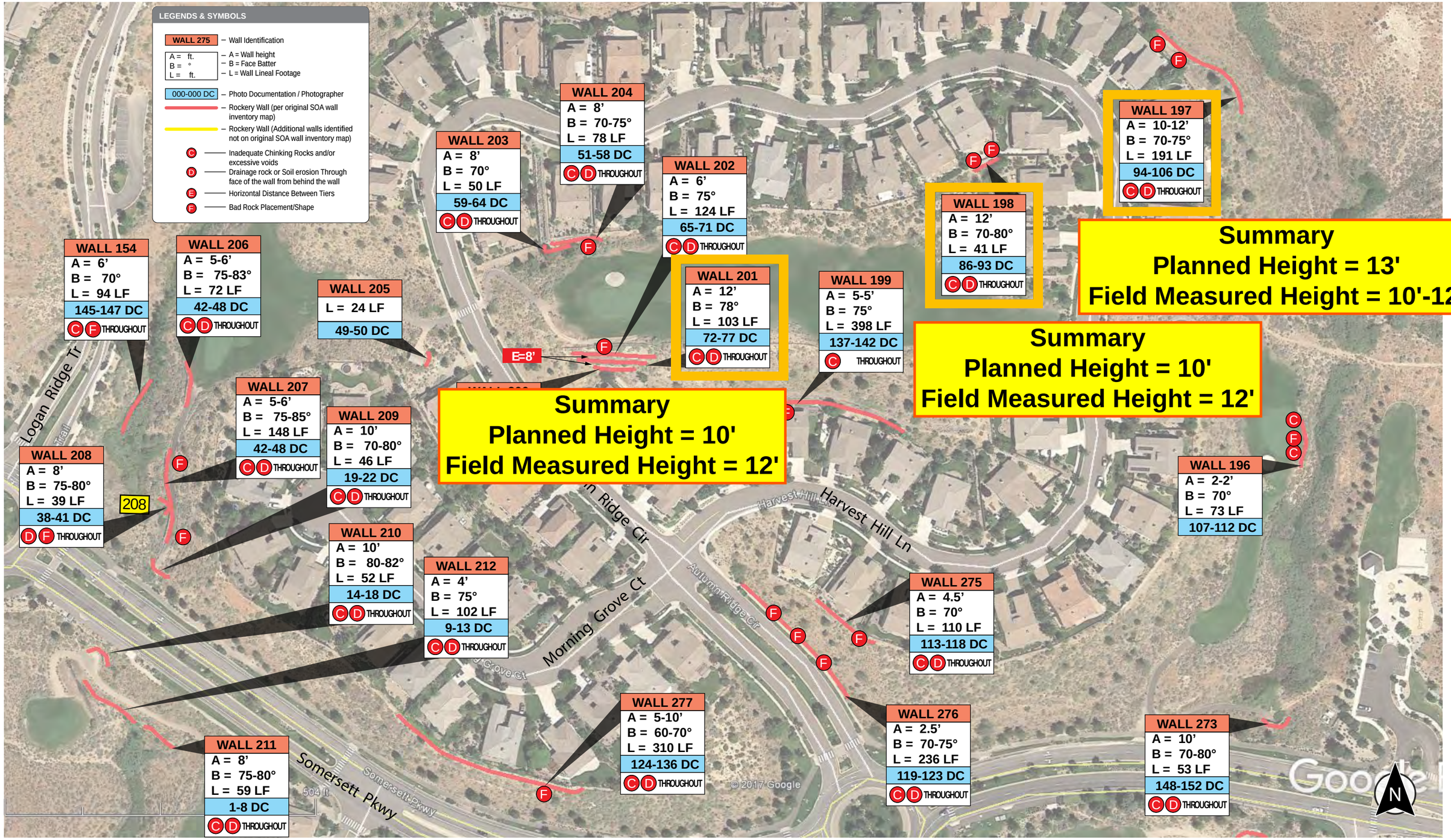
WASHOE COUNTY NEVADA

SCALE
HORIZ: 1"=40'
VERT:
JOB NO:

SHEET D-3 OF 39

N:\DWGS\Somerset\AUTUMN\final\AUDET3.DWG - 8/01 AM - 31-DEC-2001

AA0000850



AMERICAN GEOTECHNICAL, INC.
22725 OLD CANAL ROAD, YORBA LINDA, CA 92887
(714) 685-3900 (714) 685-3909
www.amgt.com

TITLE: **SITE DOCUMENTATION PLAN**
SOMERSETT MASTER ASSOCIATION - ROCKERY WALLS

SCALE:	DATE:	FILE NO.:
AS SHOWN	DEC 2017	40789-01

MAP **22**

AA000857

Somersett Owners' Association
File No. 40789-01

American Geotechnical, Inc.
GEOTECHNICAL ENGINEERING / MATERIALS TESTING & INSPECTION

Rockery Wall Summary Table

AG Map #	Wall ID #	Unit/ Phase Name	Rockery Wall Permit #	Civil Designer (Page #)	Civil Plans have Detail or Cross Sec Y/N	Wall Designer	Geotechnical Report By & Date (Rockery wall rec page #)	Final Rockery Wall Report & Date	Length	Rockery Wall Observed # of Tiers	Rockery Wall Field Measured Max. Height (ft)
7	141	Area 2 Phase 1 @ Somersett (2B, 2D, G)	LDP03-07575	Sumit (Sht G-2, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	60	1	7
	142	Area 2 Phase 1 @ Somersett (2B, 2D, G)	LDP03-07575	Sumit (Sht G-2, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	834	1	9-10.5
10	1008	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-07575	Summit (Sht G-5)	Y	Harlan Fricke	Summit 07/22/04	Stantec 12/21/2006	105	1	6
15	146	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-0775	Summit (Sht G-7, G-8, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	257	1	8-10
	166	**Area 2, Phase 1 @ Somersett (2B, 2D, 2G)**	**LDP03-07575**	**Summit (Sht G-7, G-8, D-2)**	**Y**	**Harlan Fricke**		**Stantec 12/21/2006**	**347**	1	10-12
	167	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-07575	Summit (Sht G-8, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	118	2 (U)	6
	168	Area 2, Phase 1 @ Somersett (2B, 2D, 2G)	LDP03-07575	Summit (Sht G-8, D-2)	Y	Harlan Fricke		Stantec 12/21/2006	191	2 (L)	6
11	174	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-1)	N			Stantec 12/21/2006	126	1	4-10
	175	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-1)	N			Stantec 12/21/2006	108	1	4-6
	176	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-1)	N			Stantec 12/21/2006	113	1	3-6
12	304	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	230	1	5-6
	305	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-4, D-6)	N			Stantec 12/21/2006	122	2 (L)	5-6
	306	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-4, D-6)	N			Stantec 12/21/2006	388	2 (U)	6-8
	1010	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-4, D-6)	N			Stantec 12/21/2006		1	10
13	179	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	86	1	3-6
	180	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	77	1	3-5
	181	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	217	1	3-5
	182	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht G-3, D-5)	N			Stantec 12/21/2006	149	1	5-8
20	307	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	327	1	4-10
	308	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	243	1	6
	309	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	152	1	4-8
	2002	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	374	2 (L)	10
	2003	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-7)	Y			Stantec 12/21/2006	235	2 (U)	10
	2004	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-8)	Y			Stantec 12/21/2006	95	3 (L)	6-8
	2005	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-8)	Y			Stantec 12/21/2006	86	3 (M)	3
	2006	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit (Sht D-8)	Y			Stantec 12/21/2006	75	3 (U)	6
	2007	Area 3, Phase 1 @ Somersett	LDP03-11535	?				Stantec 12/21/2006	78	1	5
21	310	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit G-6/D-8 of 89	Y			Stantec 12/21/2006	311	1	8
	311	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit G-7/D-9 of 89	Y			Stantec 12/21/2006	187	1	8
	312	Area 3, Phase 1 @ Somersett	LDP03-11535	Summit G-7 of 89 Rev 7/7	Y			Stantec 12/21/2006	100	1	8
22	**197**	**Autumn Ridge 1 @ Somersett**	**LDP02-00206**	**Summit (G-4, D-3)**	**Y**			**Stantec 12/21/2006**	**191**	1	10-12
	198	**Autumn Ridge 1 @ Somersett**	**LDP02-00206**	**Summit (G-4, D-3)**	**Y**			**Stantec 12/21/2006**	**41**	1	12
	199	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-4, D-3)	Y			Stantec 12/21/2006	398	1	5
	200	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006	62	3 (L)	8
	201	**Autumn Ridge 1 @ Somersett**	**LDP02-00206**	**Summit (G-2, D-3)**	**Y**			**Stantec 12/21/2006**	**103**	3 (M)	12
	202	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006	124	3 (U)	6
	203	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-3, D-3)	Y			Stantec 12/21/2006	50	2 (L)	8
	204	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-3, D-3)	Y			Stantec 12/21/2006	78	2 (U)	8
	205	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006		1	MASONRY WALL
	206	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (G-2, D-3)	Y			Stantec 12/21/2006	72	1	5-6
	275	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (Sht G-1, D-3)	Y			Stantec 12/21/2006	110	1	4.5
	276	Autumn Ridge 1 @ Somersett	LDP02-00206	Summit (Sht G-1, D-3)	Y			Stantec 12/21/2006	236	1	2.5
	207	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	148	2 (U)	5-6
	208	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	39	2 (L)	8
	209	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	46	1	10
	210	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (G-1, D-2)	Y			Stantec 12/21/2006	52	1	10
	277	Autumn Ridge 2 @ Somersett	LDP02-00206	Summit (Sht G-1, D-2)	Y			Stantec 12/21/2006	310	1	5-10
										171	67

374 Total walls field mapped
171 Rockery Walls with at least 2 Tiers
67 Rockery Wall Height Measured to be Greater than 10 fee
Areas covered by letter by Mr. Theodore Chrissinger of HCKV to Mr. John Samberg of WRSSR dated 05/07/19 which points out Mr. Harlan Fricke's wall design is higher than 10 feet. PSOA 07922-7931 (Area 2, Phase 1), 1354-1364 (Area 3, Phase 1), 7162-7166 Autumn Ridge)
Walls within areas covered which plans show are not to exceed 10 feet in height
The only location where the plans and specifications allowed for a wall that was greater than 10 feet and was confirmed through our firld measurements to be greater than 10 feet.

EXHIBIT 42

EXHIBIT 42

Harlan Fricke Consulting
430 South Rock Blvd.
Sparks, Nevada 89431
Phone (775) 691-3878 Fax (775) 358-3839

PROJECT	Somersett 4-G Golf Court
JOB NO. 1001.01	SHEET 9 OF 9 SHEETS
CALCULATED BY HFF	DATE 4/8/05
CHECKED BY	DATE

SPECIFICATIONS

1. Rock shall be dense, angular and hand selected for each tier.

2. Rock shall be keyed in to undisturbed native earth or compacted engineered fill to the depth indicated.

3. Maximum backfill slope shall be 2 : 1 or as shown in the calculations..

4. Each rock shall be fitted in place and checked for stability.

5. Front face of wall shall have a batter no steeper than 1 : 6.

6. Rocks shall be place such that there are no continuous joint planes either horizontally or vertically. Each rock shall bear on two or more rocks maximizing rock to rock contact.

7. Size of rocks will vary, however, the larger rocks shall be placed in the lower courses.

8. No rockery shall be constructed where footing loads from habitable structures can surcharge any portion of the rockery.

9. Backfill front of wall (toe) and compact to 90% min.

EXHIBIT 43

EXHIBIT 43

4105
WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP
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Attorneys for Somersett Owners Association

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

SOMERSETT OWNERS ASSOCIATION, a Domestic Non-Profit Corporation, Plaintiff, vs. SOMERSETT DEVELOPMENT COMPANY, LTD, a Nevada Limited Liability Company; SOMERSETT, LLC a dissolved Nevada Limited Liability Company; SOMERSETT DEVELOPMENT CORPORATION, a dissolved Nevada Corporation; PARSONS BROS ROCKERIES, INC. a Washington Corporation; Q & D Construction, Inc., a Nevada Corporation, and DOES 1 through 50, inclusive, Defendants. AND RELATED CROSS-ACTIONS.	Case No. CV-1702427 Dept. No.: 10 Judge: Hon. Elliott Sattler

SUPPLEMENTAL DECLARATION OF EDRED T. MARSH IN SUPPORT OF PLAINTIFF'S BRIEFS

I, EDRED T. MARSH, declare and state:

37. I am over the age of 18 years and the principal engineer with American Geotechnical, Inc. I am a registered Civil and Geotechnical Engineer, registered in eight (8) states, including Nevada.

38. I have personal knowledge of the facts set forth herein, except as to those stated on information and belief and, as to those, I am informed and believe them to be true. If called as a

witness, I could and would competently testify to the matters stated herein.

39. My earlier declaration was filed in this matter on April 26, 2019 regarding the Rockery walls at issue in this litigation as found in the Somersett development.

40. I have been made aware of certain documents, I inadvertently overlooked, in my previous declaration and summary, which are purportedly inconsistent with my earlier declaration, including PSOA007922-007931, PSOA001354-001364, PSOA007162-007166, and PSOA002763.

41. I have reviewed the documents identified by opposing counsel as PSOA007922-007931, PSOA001354-001364, PSOA007162-007166, and PSOA002763 and based on a review of the documents I have conducted additional evaluation resulting in the following findings:

a) PSOA007922-007931 pertains to Area 2, Phase 1 at Somersett. The designer for the rockery walls for this area appears to be Harlan Fricke and the grading plans that provide details on the wall locations, layout, heights and lengths and other specific information regarding the planned construction of the rockery walls were prepared by Summit Engineering. The design calculations by Harlan Fricke and portions of the grading plans that pertain to Area 2, Phase 1 are included in **Exhibit 39** attached to the accompanying Updated Appendix of Plaintiff's Supporting Evidence. Based on a review of these documents Area 2 Phase 1 consists of a total of seven (7) rockery walls and according to the referenced grading plans, no walls were planned to be greater than 10 feet in height. In fact, there is a note on the attached grading plans (Note 3 on PSOA004434-4435) that states "*In no instance shall the height of any walls exceed 10 feet.*"

b) PSOA001354-001364 pertains to Area 3, Phase 1 of Somersett. As with the area described above the designer for the rockery walls for this area appears to be Harlan Fricke and the grading plans were prepared by Summit Engineering. The design drawings and other information are included and attached to the accompanying in Plaintiff's Updated Appendix Supporting Evidence as **Exhibit 40** attached to the accompanying Updated Appendix of Plaintiff's Supporting Evidence**.** Based on a review of the documents and our observations on-site, there are 23 rockery walls that in Area 3, Phase 1 and none of the walls were planned to be greater than 10 feet in height. Similarly, no walls were measured by our firm to be greater than 10 feet in height.

c) PSOA007162-007166 pertains to The Autumn Ridge area of Somersett. As with the other two areas discussed above, the designer for the rockery walls appears to be Harlan Fricke and the grading plans were prepared by Summit Engineering. The design calculations and portions of the grading plans that pertain to Autumn Ridge are included and attached to the accompanying in Plaintiff's Updated Appendix Supporting Evidence as **Exhibit 41**. According to the documents and our observations on-site, there are 17 rockery walls in Autumn Ridge. Of the 17 walls that were planned and constructed in Autumn Ridge, only one wall (Wall no. 197) was planned to be greater than 10 feet in height. All of the other walls (16 walls out of 17 walls) were planned to be 10 feet or less. Of the 17 walls in Autumn Ridge, American Geotechnical measured three (3) walls to be greater than 10 feet in height, one of which was Wall no. 197. Based on this analysis there is only one wall that was planned to be greater than 10 feet in height. My opinions and conclusions as previously stated in my prior declaration of April 26, 2019 remain unchanged.

42. Except for the one location indicated above and potentially other isolated incidences in documents that were not available and/or reviewed, the design documents are consistent with respect to maximum wall height and surcharge; i.e.; (1) The wall height could be no taller than 10 feet, and (2) no surcharge (an engineering term meaning essentially a load or burden) could be applied to a lower wall in a tiered wall system.

43. My opinions and conclusions as outlined in my prior declaration remain the same, the walls which are greater than 10 feet and the tiered walls with inadequate bench width imposing a surcharge materially deviate from the plans and specifications. As such, it renders the structures unstable and thereby not fit for the purpose for which they were intended. Specifically, being less likely to provide support for the stated infrastructure, homes, and other structures for not less than 50 years. As such, the identified walls are not substantially complete.

44. The Fricke designs for the three locations identified in the newly reviewed documents apply to a small number of less than a quarter of the total of walls.

45. I have updated my appendixes to include the information regarding the three areas discussed above, which I had not previously identified at the time I issued my previous declaration and is attached to the accompanying in Plaintiff's Updated Appendix Supporting Evidence as

Amended Exhibit 6 attached to the accompanying Updated Appendix of Plaintiff's Supporting Evidence..

46. Additionally, it was brought to my attention that maps 29 through 32 were inadvertently omitted from the appendix of exhibits. They are included herein as tiered wall systems that deviate from the plans and specifications.

47. As with other cases involving large amounts of documents and data, given the sheer volume of documents that have been produced in this case thus far it is of course possible that there may be other inadvertently overlooked material. I of course reserve the right to update my opinions and conclusions based on any such material, and also, to do so as discovery unfolds and more documents and information is developed.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Affirmation: The undersigned hereby affirms that the foregoing document does not contain the social security number of any person.

Executed May 13, 2019 at Reno, Nevada.

EDRED T. MARSH

EXHIBIT 44

EXHIBIT 44

4105
WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP
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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

SOMERSETT OWNERS ASSOCIATION, a Domestic Non-Profit Corporation, Plaintiff, vs. SOMERSETT DEVELOPMENT COMPANY, LTD, a Nevada Limited Liability Company; SOMERSETT, LLC a dissolved Nevada Limited Liability Company; SOMERSETT DEVELOPMENT CORPORATION, a dissolved Nevada Corporation; PARSONS BROS ROCKERIES, INC. a Washington Corporation; Q & D Construction, Inc., a Nevada Corporation, and DOES 1 through 50, inclusive, Defendants. AND RELATED CROSS-ACTIONS.	Case No. CV-1702427 Dept. No.: 10 Judge: Hon. Elliott Sattler

SUPPLEMENTAL DECLARATION OF JOSEPH F. SHIELDS IN SUPPORT OF PLAINTIFF'S BRIEFS

I, JOSEPH F. SHIELDS, declare as follows:

20. I am over the age of 18 years, a licensed Civil Engineer and Structural Engineer in the State of Nevada, and the President of Shields Engineering, Inc. I have personal knowledge of the facts set forth herein, except as to those stated on information and belief and, as to those, I am informed and believe them to be true. If called as a witness, I could and would competently testify to the matters stated herein.

21. My earlier declaration was filed in this matter on April 26, 2019 regarding the Rockery walls at issue in this litigation as found in the Somersett development.

22. I have been made aware of certain documents, I inadvertently overlooked, in my previous declaration, which are purportedly inconsistent with my earlier declaration, including PSOA007922-007931, PSOA001354-001364, PSOA007162-007166, and PSOA002763.

23. I have reviewed the documents identified by opposing counsel as PSOA007922-007931, PSOA001354-001364, and PSOA007162-007166 and although those documents do specify wall heights in excess of ten (10) feet in very discrete locations, my opinions and conclusions remain unchanged. The updated Rockery Wall Summary Table prepared by American Geotechnical, Inc. identifies only one wall that was field measured in excess of ten (10) feet that was designed for a height of ten (10) feet or greater.

24. I have reviewed thousands of pages of documents in this matter and PSOA007922-007931, PSOA001354-001364, and PSOA007162-007166 appear to be the only documents we have reviewed that provide wall heights in excess of ten (10) feet. While it is possible that there are other documents that specify wall heights in excess of ten (10) feet, based upon the material provided we could find no such documents (please note paragraph 27 below).

25. Document PSOA007162-007166 appears to refer to a tiered wall; however, this document is simply checking horizontal sliding stability of tiers of rocks within a single wall. My opinions and conclusions regarding multiple tiered walls remain unchanged.

26. In describing surcharge loads on the rockery wall, document PSOA002763 uses the term "footing loads from habitable structures," in lieu of the previously used "footing loads from structures." Surcharge loading due to mass and thrust produced by multiple tiered walls are several times greater than surcharge loads from habitable structures. My opinions and conclusions regarding surcharge loads from multiple tiered walls remain unchanged.

27. As with other cases involving large amounts of documents and data, given the sheer volume of documents that have been produced in this case thus far it is of course possible that there may be other inadvertently overlooked material. I of course reserve the right to update my opinions and conclusions based on any such material, and also, to do so as discovery unfolds

and more documents and information is developed.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Affirmation: The undersigned hereby affirms that the foregoing document does not contain the social security number of any person.

Executed May 13, 2019 at Reno, Nevada.

JOSEPH F. SHIELDS

1650
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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

SOMERSETT OWNERS ASSOCIATION, a Domestic Non-Profit Corporation, Plaintiff, vs. SOMERSETT DEVELOPMENT COMPANY, LTD, a Nevada Limited Liability Company; SOMERSETT, LLC a dissolved Nevada Limited Liability Company; SOMERSETT DEVELOPMENT CORPORATION, a dissolved Nevada Corporation; PARSONS BROS ROCKERIES, INC. a Washington Corporation; Q & D Construction, Inc., a Nevada Corporation, and DOES 1 through 50, inclusive, Defendants. AND RELATED CROSS-ACTIONS.	Case No. CV-1702427 Dept. No.: 10 Judge: Hon. Elliott A. Sattler **(Hearing Requested)**

FURTHER SUPPLEMENTAL ERRATA OF PLAINTIFF TO OPPOSITION TO DEFENDANTS' JOINT MOTION FOR SUMMARY JUDGMENT (OMNIBUS MOTION)

TO THIS HONORABLE COURT, THE PARTIES AND RESPECTIVE COUNSEL:

Plaintiff SOMERSETT OWNERS ASSOCIATION ("**Plaintiff**") hereby respectfully submits the following Further Supplemental Errata ("**Further Supplemental Errata**") to its Opposition to Defendants' Joint Motion for Summary Judgment filed on April 26, 2019, ("**Opposition**").

I. THE INITIAL DEBATE. As stated in Plaintiff's Supplemental Errata filed on May 13, 2019, on May 7, 2019, counsel for Third Party Defendant Stantec issued a letter to counsel for Plaintiff in which he raised concerns pertaining to the accuracy of the declarations of Plaintiff's expert witnesses. In the letter counsel identified certain documents in support of his position by specific Bates numbers.[1]

In response to that letter, counsel for Plaintiff had Plaintiff's retained expert witnesses review the identified material. The expert witnesses (Joseph F. Shields and Edred T. Marsh) prepared Supplemental Declarations. The Supplemental Declarations were filed concurrently with an Amended Exhibit 6 (American Geotechnical Spreadsheet) on May 13, 2019.

The Bates numbered documents identified by opposing counsel were also submitted as additional Exhibits to the Appendix of Exhibits filed concurrently therewith. The Bates numbered documents referred to in the Amended Spreadsheet and related maps, were also provided as part of Exhibits 39 and 41 of those pleadings.

Additional Maps 29 through 32 were also filed along with the Amended Appendix of Exhibits as a supplement to Exhibit 10. Plaintiff noted the *errata* as to Exhibit 10, and supplemented its Appendix of Supporting Evidence as to Exhibits 6, 10, 29, 30, 31, 32 and 39 through 44.

In his May 7, 2019 letter, counsel for Stantec also took issue with the argument of counsel in Plaintiff's Opposition as being a misrepresentation of the evidence as to whether engineering plans existed that would permit certain walls to exceed a certain height and load.

The argument of Plaintiff's counsel was based upon the initial Declarations of Plaintiff's expert witnesses; those Declarations being based on a review of the over 54,000 documents that had been disclosed by the respective parties up to that point in the case.

Stantec's counsel used as an example in support of his position the following paragraph culled from Plaintiff's Opposition:

---

[1] Those documents were culled from the over 54,000 documents that had been disclosed by the respective parties up to that point in this case. The parties continue to update their disclosures..

"As established with particularity and supported by competent evidence, certain indisputable and immutable features of nearly two thirds (2/3) of the rockery walls (maximum height, and minimum bench depth), are materially inconsistent with the plans and specifications." Opposition, at pages 7 and 8. Plaintiff's counsel urged to Stantec's counsel that the passage cited, and similar argument throughout the Opposition, were legitimate argument based on the competent evidence presented in the form of expert opinion and supporting documentation.

Plaintiff's counsel felt that the May 13, 2019 filings by Plaintiff, particularly the Supplemental Declarations of the expert witnesses, resolved the concerns of Stantec's counsel as to the argument of counsel set forth above.

II. THE FURTHER DEBATE.

However, the dispute as to whether the argument of counsel for Plaintiff was an inaccurate representation of the evidence continued after the May 13, 2019 filings. Respective counsel for Plaintiff and Stantec met and conferred on that point. The conference was cordial and professional – as it should be. This Further Supplemental Errata is a result of that conference.

The focus of the debate is whether engineered drawings, particularly by Harlan Fricke, exist that specify walls in excess of the height and load parameters discussed by Plaintiff's expert witnesses. Plaintiff's expert witnesses opine that the walls in dispute in this case that exceed certain height and load are inconsistent with specified height and load drawings. Counsel for Stantec points out that there are some Fricke drawings that do permit certain walls to exceed the disputed height and load, and therefore unequivocal argument to the contrary misstate the evidence.

Counsel for Plaintiff urges that the challenged argument is made in good faith, based upon competent evidence; i.e., the opinions of expert witnesses. Counsel for Plaintiff further acknowledges that the position of Stantec's counsel is also taken in good faith, and is taken out of a concern that the record be clear.

Both counsel acknowledge that given the enormous number of documents that have been produced (over 54,000), and which in the interim continue to be produced, and which will certainly continue to be produced, it is inevitable that certain documents will be overlooked.

Counsel should rely on each other to point out any such oversights. There will undoubtedly also be competing expert witness opinion as to the significance of certain documents.

III. FURTHER SUPPLEMENTAL ERRATA.

Counsel for Plaintiff notes that argument in the Opposition at pages 7 to 8, and similar argument in the Opposition, should not be read to state without exception that drawings do not exist that would permit certain walls to exceed certain height and load. Rather, such argument should be read in light of the opinions and conclusions set forth by the expert witnesses. Counsel for Plaintiff respectfully urges the Court that the foregoing argument was not made to misstate the record, and that any lack of clarity in that regard is hereby corrected.

AFFIRMATION

The undersigned does hereby affirm, pursuant to NRS 239B.030, that this document and any attachments do not contain personal information as defined in NRS 603A.040 about any person.

DATED this 3rd day of June, 2019.

WOLF, RIFKIN, SHAPIRO,
SCHULMAN & RABKIN, LLP

By: */s/ John Samberg*

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Attorneys for Plaintiff Somersett Owners Association

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of June, 2019, I electronically filed the foregoing **FURTHER SUPPLEMENTAL ERRATA OF PLAINTIFF TO OPPOSITION TO DEFENDANTS' JOINT MOTION FOR SUMMARY JUDGMENT (OMNIBUS MOTION)** with the Clerk of the Court by electronic service, in accordance with the Master Service List, pursuant to NEFCR 9 to the following:

Charles Burcham, Esq.
Wade Carner, Esq.
Thorndal, Armstrong, Delk, Balkenbush & Eisinger
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In the Second Judicial District Court of the State of Nevada

In and For the County of Washoe

SOMERSETT OWNERS ASSOCIATION, a Domestic Non-Profit Corporation, Plaintiff, vs. SOMERSETT DEVELOPMENT COMPANY., LTD., a Nevada limited liability company; SOMERSETT, LLC, a dissolved Nevada Limited Liability Company; SOMERSETT DEVELOPMENT CORPORATION, a dissolved Nevada Corporation; Q&D CONSTRUCTION, INC., a Nevada Corporation; PARSONS BROS ROCKERIES, INC., a Washington Corporation; PARSONS ROCKS!, LLC, a Nevada Limited Liability Company, and Does 5-50, inclusive Defendant.	Case No.: CV17-02427 Dept. No.: 10
SOMERSETT DEVELOPMENT CO., LTD., Third-Party Plaintiff vs. STANTEC CONSULTING, INC., an Arizona corporation; Third-Party Defendants.	

Defendants' Reply in Support of their Motion for Summary Judgment

Somersett Owners Association's ("SOA") does not, and cannot, dispute the fact that the rockery walls in Somersett were completed and put into use more than 12 years ago. The SOA does not, and cannot, dispute that the walls were put to use more than 10 years prior to filing suit. Instead, SOA argues that because the 12-year old rockery walls are too

tall and may be surcharged by other walls, they are not substantially complete, and therefore the statute of repose has not run. Indeed, SOA claims the statute of repose for these 12-year old walls has not even begun to run! This position defies logic and common sense, and cannot be a basis to create a genuine issue of material fact.

To justify its position, SOA cites the correct common-law definition of substantial completion, but then changes the words to resemble UCC warranty language. If SOA's contention is accepted, then the statute of repose could never apply when the common law definition of substantial completion is used. This is not the law, and the contention is contradicted by the AIA document used by SOA for the definition of substantial completion.[1]

SOA asserts two main arguments: (1) NRS 116 warranty claims are not subject to NRS 11.202, and if they are, the statute should be tolled, and (2) there is evidence that the rockery walls were built incorrectly, and therefore never substantially completed.

Notably, the opposition does not contain any facts or argument disputing the undisputed facts contained in the motion. Rather, SOA simply states that two of the undisputed facts (8 & 9) either "mischaracterize Plaintiff's position" or "mischaracterize the Plaintiff's burden at this junction [sic]." But SOA does not dispute that SOA never produced admissible evidence to either "demonstrate when the rockery walls were substantially complete under the common law" or "that any rockery walls were substantially completed within six years of SOA serving its Chapter 40 Notice and filing suit."

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[1] The AIA A201 contract contemplates substantial completion even when there is more work to be performed, and the work in place needs to be corrected. See Section 2 of this brief.

Defendants will address all of Plaintiff's points below.

1. SOA misconstrues the summary judgment burden by conflating statutes of limitations and statutes of repose.

When the nonmoving party bears the burden of persuasion at trial, "the party moving for summary judgment may satisfy the burden of production by either (1) submitting evidence that negates an essential element of the nonmoving party's claim, or (2) pointing out … that there is an absence of evidence to support the nonmoving party's case." *Cuzze v. Univ. & Comm. College System of Nevada*, 123 Nev. 598, 602-03, 172 P.3d 131, 134 (2007). Defendants pointed out SOA's failure to produce admissible evidence that the rockery walls were substantially complete within six years of serving its Chapter 40 Notice.

SOA now contends that Defendants are simply wrong – that "[n]othing in *Cuzze* provides that, in terms of limitations periods, that the Motion "need not prove anything."" Oppo. at 15:25-26. But, as in SOA's Motion to Strike, SOA conflates statutes of limitations with statutes of repose.[2]

To be sure, the defense of statute of limitations is an affirmative defense, which must be pleaded and proved by the defendant. The statute of repose, on the other hand, is not an affirmative defense, but rather an element of the cause of action, and the burden of proof is on SOA. *G & H Assocs. v. Ernest W. Hahn, Inc.*, 113 Nev. 265, 271, 934 P.2d 229, 233

[2] SOA goes on to state, "Rather, Courts have found that non-compliance with a statute of limitations is a non-jurisdictional, affirmative defense, and the party asserting an affirmative defense bears the burden of proof." Oppo. at 16:17-19. This is a straw man argument, as Defendants do not rely on a statute of limitations defense in their MSJ.

(1997).[3] Therefore, under the modern summary judgment standard, SOA must produce admissible evidence that it brought its claims within six years of substantial completion. If SOA cannot do this, then there is no genuine issue of material fact, and Defendants will be entitled to summary judgment. Defendants need not produce or prove anything.

2. The common law definition of substantial completion does not require the improvement to be "fit for the purpose for which it is intended."

The parties agree on the common law definition of substantial completion:

> Substantial Completion is the stage in the progress of the Work when the Work or designated portion thereof is sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the Work for its intended use.

Oppo. at 6, fn 4, citing to the AIA A201 standard general conditions. As is clear from the definition, the AIA (American Institute of Architects) considers a work of improvement substantially complete when that work of improvement can be used. This definition does not require that the improvement be free from defects to be considered substantially complete.

SOA cites to this common law definition of substantial completion, and then changes it.[4] SOA and its consultants claim the walls are "not fit for the purpose for which they are intended." Oppo. at 11:22-23. Fitness for a particular purpose is warranty language from the UCC,[5] and it has nothing to do with substantial completion. SOA tries to graft this UCC

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[3] The statute of repose is substantive, whereas statutes of limitations are procedural. Therefore, SOA's arguments on burden of proof and tolling defenses do not apply to the statute of repose. A statute of repose has an absolute accrual date and cannot be tolled absent specific statutory authority.

[4] The common law definition of substantial completion is only used when the other statutory bases do not exist. SOA has not provided any evidence or argument that there are no notices of completion or final building inspections. Defendants reserve the right to conduct discovery on this issue if needed.

[5] "Where the seller at the time of contracting has reason to know of any particular purpose for which the goods are required and that the buyer is relying on the seller's skill or judgment to select or furnish suitable goods, there is unless excluded or modified under the next section **an implied warranty that the goods**

warranty onto the definition of substantial completion, but that would eviscerate the statute of repose in any construction defect case where the improvement is allegedly defective because it doesn't comply with the plans or specifications. Under SOA's argument, a party facing a statute of repose bar would merely need to hire an expert to state than an improvement, no matter how old, deviated from the plans and specifications, and the statute of repose bar would disappear. Such an absurd result is the consequence of SOA's argument, and it is exactly what SOA is trying to do here.

SOA's complaint is simply that the walls are too high and surcharged. Specifically, SOA contends that one of the rockery wall designers, Harlan Fricke, did not provide a design for over 10 feet,[6] and that some of the walls are surcharged by higher walls.[7] Even if these allegations are true, they do not support any argument that the walls were not "sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the [walls] for their intended use." Any argument or testimony that the walls are not "fit for their intended use" is irrelevant, as that is not the standard.

Ironically, the AIA document upon which SOA relies contradicts SOA's claim that defects or missing items render the walls incomplete. § 9.8 of the AIA A201 General Conditions (Exhibit 25 to SOA's Appendix) allows for substantial completion prior to final completion, and even when the project has defects:

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shall be fit for such purpose." NRS 104.2315 (emphasis added). The UCC only applies to "goods" and not to construction. NRS 104.2102.

[6] Defendants alerted SOA's counsel to Fricke designs that provide for walls up to 16 feet. SOA's consultants then filed supplemental declarations to address the inaccuracies in their declarations, but they seem to stick to their original position that any walls above 10 feet are per se defective.

[7] Numerous Fricke designs, produced by SOA, only contain a prohibition on surcharge from other habitable structures, rather than a prohibition on surcharge from higher tiers of rockery walls.

§ 9.8.1 Substantial Completion is the stage in the progress of the Work when the Work or designated portion thereof is sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the Work for its intended use.

§ 9.8.2 When the Contractor considers that the Work, or a portion thereof which the Owner agrees to accept separately, is substantially complete, the Contractor shall prepare an submit to the Architect a comprehensive list of **items to be completed or corrected prior to final payment**. Failure to include an item on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

Exhibit 25 to SOA's Appendix (Emphasis added). In other words, defects in the construction do not affect substantial completion. If they did, then the statute of repose would be meaningless words in the NRS.

3. Common law substantial completion can never be after actual completion.

The Nevada Legislature has clearly defined when a work of improvement is considered complete (as opposed to substantially complete). NRS 108.22116 provides as follows:

"Completion of the work of improvement" means:

1. The occupation or use by the owner, an agent of the owner or a representative of the owner of the work of improvement, accompanied by the cessation of all work on the work of improvement;

2. The acceptance by the owner, an agent of the owner or a representative of the owner of the work of improvement, accompanied by the cessation of all work on the work of improvement; or

3. The cessation of all work on a work of improvement for 30 consecutive days, provided a notice of completion is timely recorded and served and the work is not resumed under the same contract.

Notably, actual completion is not conditioned on contract compliance or a determination as to whether the construction is "fit for use"[8]; actual completion is based on the owner's use or acceptance of the work accompanied by a cessation of further work.

It is undisputed, and indisputable, that Declarant and SOA accepted and started using the walls (and that all construction work on the walls ceased) over a decade ago. It is undisputed that Stantec certified the walls as complete in 2006.[9] *See* Exhibit 16 to SOA's Appendix. It would be nonsensical to conclude that substantial completion could occur **after** completion, as, by definition, substantial completion means something less than actual completion.[10] Nonetheless, SOA asks this Court to ignore statutory completion of the work of improvement (the walls) and instead adopt SOA's position that the walls were never really substantially complete. A work of improvement cannot be "complete" for the purpose of cutting off mechanic's lien rights but also be incomplete (or not "substantially complete") for the purpose of the period of repose.

4. The statute of repose applies to NRS 116 warranty claims.

SOA claims that NRS 11.202 does not apply to SOA's NRS 116 warranty claims. But the language of NRS 11.202 is clear and unambiguous, and it applies to all actions against persons "furnishing the design, planning, supervision or observation of construction, or the construction of an improvement to real property …" NRS 11.202(1).

SOA complains that Defendants do not provide a single authority for this

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[8] Again, "fit for use" not a requirement under any definition of substantial completion.

[9] SOA characterizes the certifications as "vague" and "self-serving." But SOA does not explain how a third-party inspection company's reports could be self-serving when the third-party inspection company was inspecting other entities' work. The letters were issued in 2006, more than 10 years prior to any litigation.

[10] § 9.8.2 of the AIA A201, Exhibit 25 to SOA's Appendix.

proposition.[11] But, SOA has it backwards. The plain language of the statute makes it applicable to the warranty claims. When a statute is clear on its face, the Court "will not look beyond the statute's plain language." *Washoe Med. Ctr. v. Dist. Court*, 122 Nev. 1298, 1302, 148 P.3d 790, 793 (2006). There are no relevant exceptions in the statute of repose, and SOA does not, and cannot, provide any authority that exempts NRS 116 warranty claims from the statute of repose.

5. NRS 116.3111 does not toll the statute of repose.

In their moving papers, Defendants provided ample authority that NRS 11.202 is a statute of repose, and not a statute of limitation. NRS 116.3111 only applies to "any statute of limitation …" NRS 116.3111(3).

SOA again asks the Court to consider the legislative history, but fails to recognize that the statute is clear on its face. The legislature did not include the words "or any statute of repose" in the tolling provisions. If the legislature had intended the statute of repose to be tolled until the end of declarant control, the legislature would have done that, as it did in NRS 40.695 ("… **statutes of limitation or repose** applicable to a claim based on constructional defect … are tolled from the time notice of the claim is given …") (emphasis added). Thus, the legislature obviously knows the difference between limitations and repose, and if it had wanted to include both in NRS 116.3111(3), it could have, and would have, done so. The words of the statute must be enforced as written.

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[11] In other portions of its opposition, SOA cites to unpublished orders from another case involving these same defendants. Citation to unpublished orders is prohibited. However, if the Court wants to consider its own prior orders, Defendants ask the Court to consider its May 1, 2018 order in *Gargus v. Sun Mesa*, CV15-02266 (eFlex Transaction # 6655939), wherein this Court determined that the statute of repose applies to Chapter 116 Warranty Claims: "The Court finds the statute of repose set forth in NRS 11.202 applies to all claims relating to the Five Subject Properties." May 1, 2018 Order at 5:6-17. Defendants' argument in Section III of the MSJ is a virtual verbatim recitation of this Court's prior order.

6. Even if NRS 116.3111 tolls the statute of repose, NRS 116.3111 is an indemnity statute applicable only to suits against the association.

NRS 116.3111 provides in full:

> 1. A unit's owner is not liable, solely by reason of being a unit's owner, for an injury or damage arising out of the condition or use of the common elements. Neither the association nor any unit's owner except the declarant is liable for that declarant's torts in connection with any part of the common-interest community which that declarant has the responsibility to maintain.
>
> 2. An action alleging a wrong done by the association, including, without limitation, an action arising out of the condition or use of the common elements, may be maintained only against the association and not against any unit's owner. If the wrong occurred during any period of declarant's control and the association gives the declarant reasonable notice of and an opportunity to defend against the action, the declarant who then controlled the association is liable to the association or to any unit's owner for all tort losses not covered by insurance suffered by the association or that unit's owner, and all costs that the association would not have incurred but for a breach of contract or other wrongful act or omission. Whenever the declarant is liable to the association under this section, the declarant is also liable for all expenses of litigation, including reasonable attorney's fees, incurred by the association.
>
> 3. Except as otherwise provided in subsection 4 of NRS 116.4116 with respect to warranty claims, any statute of limitation affecting the association's right of action against a declarant under this section is tolled until the period of declarant's control terminates. A unit's owner is not precluded from maintaining an action contemplated by this section because he or she is a unit's owner or a member or officer of the association. Liens resulting from judgments against the association are governed by NRS 116.3117.

NRS 116.3111 (emphasis added). The underlined portions of subsection 2 above make clear that the section applies only to cases in which the association is sued for wrongdoing, even if that wrongdoing simply arises out of the condition or use of the common elements. If the declarant had control of the common element at the time of the wrongdoing, and if the association gives the declarant notice and an opportunity to defend, the declarant is liable to the association for all tort losses not covered by insurance, and all costs the

association would not have incurred but for a breach of contract or other wrongful act or omission.

Subsection 3 tolls any statute of limitation "affecting the association's right of action against a declarant **under this section** …" NRS 116.3111(3) (emphasis added). In other words, limitations tolling applies only to cases in which the association has been sued, and the association has a right of indemnity against the declarant. By its own terms, the limitations tolling does not apply when an association affirmatively sues a declarant for breach of warranty when the association is not subject to a claim by a third party.

7. Equitable tolling does not apply to the statute of repose.

SOA asks this Court to apply equitable tolling to the statute of repose. But equitable tolling is incompatible with a statute of repose. The Nevada Supreme Court provided the basic framework for equitable tolling in the context of the statute of limitations:

> Equitable tolling operates to suspend the running of a statute of limitations when the only bar to a timely filed claim is a procedural technicality. [Citations]. Even when the claim's untimeliness is due to a procedural technicality, application of the doctrine is appropriate only when the danger of prejudice to the defendant is absent and the interests of justice so require.

State Dept. of Taxation v. Masco Builder Cabinet Group, 127 Nev. 730, 738, 265 P.3d 666, 671 (2011) (Internal citations and quotations omitted). The *Masco* Court also provided several relevant factors to consider:

> In applying the doctrine of equitable tolling in the past, this court has looked at several nonexclusive factors to determine whether it would be just or fair to toll the statute of limitations: the claimant's diligence, the claimants knowledge of the relevant facts, the claimant's reliance on authoritative statements made by the administrative agency, and whether these statements misled the claimant.

Id. (*citing Copeland v. Desert Inn Hotel*, 99 Nev. 823, 826, 673 P.2d 490, 492 (1983)(articulating the doctrine of equitable tolling of the statute of limitations in the context of an employment-discrimination claim)).

Statutes of repose place an outside time limit with no regard to the date of the injury. *G&H Assocs. v. Ernest W. Hahn, Inc.*, 113 Nev. 265, 271, 934 P.2d 229, 233 (1997). The statute of repose applies even if there is no injury within the six years after substantial completion. Allowing equitable tolling eviscerates the purpose of the statute of repose – to provide "a fresh start or freedom from liability." *CTS Corp. v. Waldburger*, 573 U.S. 1, 9 (2014). None of the factors articulated by the Nevada Supreme Court for equitable tolling of the statute of limitations apply in the context of a statute of repose because the statute of repose cuts off liability regardless of when the injury occurs or is discovered.

SOA relies on *NCUA Bd. v. RBS Sec., Inc.*, 833 F.3d 1125 (9th Cir. 2016) for the proposition that statutes of repose may be tolled by equitable principles. Oppo. at 20:27-28 – 21:1-17. But *NCUA Bd.* addressed a limitations extender statute rather than equitable tolling. *NCUA Bd.*, 833 F.3d at 1132. Further, the *NCUA Bd.* Court noted that FIRREA refers to statutes of limitations in six provisions, when three of those six were better characterized as statutes of repose. The Court goes on to note that a preclusion on tolling is "the hallmark of statutes of repose." *Id.* In other words, *NCUA Bd.* recognized that statutes of repose may not be tolled, and therefore the case supports Defendants' position, rather than SOA's.

SOA also relies on *First Interstate Bank of Denver, N.A. v. Central Bank & Trust of Denver*, 937 P.2d 855, 860 (Colo. Ct. App. 1996) for the proposition that a statute of repose may be equitably tolled. But the language cited by SOA is dicta, as the decision rests on the

parties' express tolling agreement, which includes "any statute of limitations, doctrine of laches, **or other similar time limit applicable to any claim** …" *Id.* (emphasis added).

Finally, SOA contends that the Nevada Supreme Court has yet to rule whether equitable tolling applies to NRS 11.202 in the context of developers. But the Nevada Supreme Court has distinguished statutes of limitations from statutes of repose by recognizing that a statute of limitations may be equitably tolled, in contrast with a statute of repose. *FDIC v. Rhodes*, 130 Nev. 893, 899, 336 P.3d 961, 965 (2014).

8. SOA's claim of tolling based on estoppel is the same argument it made for equitable tolling, and is equally inapplicable.

"Equitable estoppel operates to prevent a party from asserting legal rights that, in equity and good conscience, they should not be allowed to assert because of their conduct." *Nevada State Bank v. Jamison Family Partnership*, 106 Nev. 792, 799, 801 P.2d 1377, 1382 (1990). "The defense of estoppel requires a clear showing that the party relying upon it was induced by the adverse party to make a detrimental change in position, and the burden of proof is on the party asserting estoppel." *Id. See also*, *Lantzy v. Centex Homes*, 31 Cal.4th 363, 384 (2003) (holding that a party may be estopped from asserting the statute of limitations defense when that party represents, during the limitations period, that all actionable damage has been or will be repaired, thus making it unnecessary to sue.)

Here, SOA does not provide any evidence that any of the defendants engaged in any conduct that induced SOA to wait more than 11 years to file suit, or that any defendant represented that it had repaired or would repair the walls. A careful review of SOA's arguments reveals that SOA merely makes the same argument as the equitable tolling claim, rather than a claim for tolling based on estoppel. But there can be no estoppel when there is no evidence (or indeed, no claim) that Defendants induced SOA into anything.

Conclusion

SOA has the burden to prove that it brought its claims with the statute of repose, yet SOA does not provide any relevant evidence to support its position. Instead, in an attempt to manufacture a genuine issue of material fact, SOA alters the common law definition of substantial completion to make it appear that the improvement must be "fit for its intended use" in order for it to be substantially complete. But this defies logic, and it is inconsistent with the AIA A201 substantial completion sections.

SOA then tries to argue that the statute of repose may be equitably tolled, but equitable tolling is inconsistent with the purposes of a statute of repose, and it is inconsistent with case law from the Nevada Supreme Court. Equitable estoppel is inapplicable as well, especially when, as here, there is no evidence Defendants did anything to prevent SOA's filing suit.

Finally, NRS 116.3111 does not apply when the association has not been sued. Even if it does apply, the tolling provision applies only to statutes of limitations, and not statutes of repose.

The Somersett rockery walls have been part of the look and landscape of Somersett for over a decade. The statute of repose has run, and Defendants are entitled to summary judgment on all of SOA's claims.

Certification of Counsel

Good cause exists to exceed the page limits in the Court's Pretrial Order by five pages or less, as SOA's opposition was 25 pages, and contained numerous issues to which Defendants must reply.

June 7, 2019

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Privacy Affirmation and Certificate of Service

I hereby affirm that this document does not contain and social security numbers or other private information.

I hereby certify that on June 7, 2019, I electronically filed the foregoing with the Clerk of the Court by using the electronic filing system which will send a notice of electronic filing to the following:

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In the Second Judicial District Court of the State of Nevada

In and For the County of Washoe

SOMERSETT OWNERS ASSOCIATION, a Domestic Non-Profit Corporation,

Plaintiff,

vs.

SOMERSETT DEVELOPMENT COMPANY., LTD., a Nevada limited liability company; SOMERSETT, LLC, a dissolved Nevada Limited Liability Company; SOMERSETT DEVELOPMENT CORPORATION, a dissolved Nevada Corporation; Q&D CONSTRUCTION, INC., a Nevada Corporation; PARSONS BROS ROCKERIES, INC., a Washington Corporation; PARSONS ROCKS!, LLC, a Nevada Limited Liability Company, and Does 5-50, inclusive

Defendant.

Case No.: CV17-02427

Dept. No.: 10

SOMERSETT DEVELOPMENT CO., LTD.,

Third-Party Plaintiff

vs.

STANTEC CONSULTING, INC., an Arizona corporation;

Third-Party Defendants.

Stantec's Objection to Plaintiff's Evidence Offered in its Opposition to Defendant's Motion for Summary Judgment

Stantec Consulting Services, Inc. ("Stantec") objects to Somersett Owners Association's ("SOA") evidence offered in SOA's "Appendix of Plaintiff's Supporting Evidence. The specific objections are as follows:

1. Exhibit 2 – Declaration of Edred T. Marsh

SOA offers Marsh's declaration in support of SOA's contention that the rockery walls are not substantially complete because the walls allegedly do not comply with the plans and specifications.

Marsh uses the incorrect definition to determine substantial completion by claiming the walls must be "fit to be utilized for the use for which they are intended …" But the common law definition of substantial completion is:

> … the stage in the progress of the Work when the Work or designated portion thereof is sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the Work for its intended use.

Exhibit 25 to SOA's Appendix. That same AIA document goes on to note that substantial completion may be achieved even when there is more work to be performed, or repairs to be made. *Id.* at § 9.8.2.

Because Marsh's opinion is based on the incorrect standard, the entire declaration is irrelevant to the issues presented in Defendants' Motion for Summary Judgment (and the other filings for which SOA supplied the declaration).

2. Exhibit 5 – Declaration of Joseph Shields

Like Marsh, SOA offers Shields's declaration in support of SOA's contention that the rockery walls are not substantially complete because the walls allegedly do not comply

with the plans and specifications. But Shields's declaration suffers from the same inadequacies as Marsh's declaration. Shields, like Marsh, uses the wrong definition for substantial completion, and the entire declaration is therefore irrelevant.

3. Exhibits 6-11 – Excerpts from Marsh's report

Expert reports are hearsay. In the summary judgment context, an expert must provide a statement under oath for it to be considered.

4. Exhibit 12 – Harlan Fricke Consulting Rock Wall Design

Stantec objects because this one design is not representative of them all. If the Court is going to consider it for any reason, it should consider all of the designs.

Additionally, whether the walls were built according to this design is not relevant to the issue of when the walls were substantially complete.

5. Exhibit 13 – Odyssey Engineering Plans

These plans are not relevant to the issue of when the walls were substantially complete.

6. Exhibit 14 – Kleinfelder Geotechnical Investigation Report for Sierra Canyon

This document is not relevant, as Somersett Development was not the developer for Sierra Canyon. Sierra Canyon is a Del Webb community. If SOA wants to use this as evidence, it must lay a foundation for its relevancy.

7. Exhibits 17-19 – Various Declarations of SOA agents

These declarations are not relevant to the issue of when the walls were substantially complete.

8. Exhibit 24 – Order denying Motion for Judgment

This unpublished order from another case presents different issues than the current case. Specifically, in the Ryder case, Ryder Homes claimed that inspections performed by the City of Reno in 2016 and 2017 constituted the last building inspections performed on the rockery walls. The Court found there was a question of fact as to whether those alleged inspections, or whether the common law substantial completion date, controlled the analysis. Here, SOA does not contend that any building inspections occurred in the last 12 years.

9. Exhibit 26 – CME webpage

This webpage is hearsay, and it is not relevant to any issue presented in the pending motions, or any issue in this entire case.

10. Exhibit 30 – License printout for Parsons Bros. Rockeries

There is no foundation to admit this document or the contents thereof. The contractors board purges files after a certain time, so the document is meaningless.

11. Exhibit 31 – Chapter 40 Notice

Stantec does not object to this document if it is offered to establish the date on which SOA served its Chapter 40 Notice, or if it is offered to demonstrate the contents of SOA's complaints – namely that SOA is suing for defects in design and construction, no matter how pleaded or no matter the claims for relief alleged.

Stantec objects to the document as hearsay, if it is being admitted for the truth of the matters asserted therein, including the attached expert report. The matters asserted therein are also irrelevant.

June 7, 2019

HOY | CHRISSINGER | KIMMEL | VALLAS

Theodore Chrissinger
Attorneys for Stantec Consulting Services, Inc.

Privacy Affirmation and Certificate of Service

I hereby affirm that this document does not contain and social security numbers or other private information.

I hereby certify that on June 7, 2019, I electronically filed the foregoing with the Clerk of the Court by using the electronic filing system which will send a notice of electronic filing to the following:

DAVID LEE for Q&D CONSTRUCTION, INC.
DON SPRINGMEYER for SOMERSETT OWNERS ASSOCIATION
STEPHEN CASTRONOVA for PARSONS BROS. ROCKERIES, CA, INC.
NATASHA LANDRUM for Q&D CONSTRUCTION, INC.
CHARLES BURCHAM, ESQ. for SOMERSETT DEVELOPMENT COMPANY, LTD.
WADE CARNER for SOMERSETT DEVELOPMENT COMPANY, LTD.
JOHN SAMBERG for SOMERSETT OWNERS ASSOCIATION
DIRK GASPAR for Q&D CONSTRUCTION, INC.

June 7, 2019

Theodore Chrissinger