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January 26, 2022

Sonia Bryant
4060 Windhaven Lane
Dallas, TX 75287

Via: Certified Mail No. 7021 0950 0001 5443 5183

Re: *Dispute with Neighbors*

Dear Ms. Bryant:

I am contacting you on behalf of my clients Hank and Donna Mishkoff, your neighbors who reside at 4062 Windhaven Lane.

As you know, my clients use the driveway to your property to access a portion of their own property. On several occasions you have confronted and harassed Mrs. Mishkoff for using "your driveway." After my clients hired surveyors to survey the property, you reported my clients to the police at 10:45 p.m., hours after the surveyors had left. Other actions include taking cell phone videos and general badgering.

As you recall from my last letter, this subdivision is quite unusual as to the placement of property lines. It was for this reason that the Declarations built in the idea that each owner would need to reasonably accommodate the remaining owners in maintaining and accessing their property. This concept has been recognized by each owner of the Clustered Units (as defined in the Declarations) since the subdivision's use.

More to the point, my clients actually own a portion of your driveway, as does another homeowner. If they needed access beyond that portion of the driveway that they actually own, my clients would have an express access easement. If needed access existed beyond the express easement, which is doubtful, then they would have an implied easement by necessity or prescription. My clients have continuously exercised their ownership and easement rights to access such portion of their property for thirty-five years without complaint from anybody except you. Their rights are clear.

Similarly, to access your garage after leaving the cul-de-sac, you must traverse through Lot 30 and Lot 31 before even reaching the portion of the driveway that you own. To accommodate your access, you also have an express non-exclusive easement to access the garage along what

you consider "your driveway." It is the oddity of the subdivision that requires you to be considerate neighbors.

And, just as you have the non-exclusive right to reasonably and peacefully use and enjoy the driveway to your garage, my clients have the right to reasonably and peaceably use and enjoy that portion of the property they own that is accessed by the driveway. However, calling the police and badgering my clients with cell phone videos is not peaceable enjoyment. I respectfully request you to stop the confrontations and harassment. They are prepared to enforce their rights to continued access through court, if required, which is both costly and time-consuming for all parties.

I encourage you to hire an attorney to review the Declarations and Plat.

If you would like to discuss a resolution to this matter, please contact me (or have your attorney contact me) no later than February 7, 2022. If this matter has not been resolved by that date, we will investigate other remedies. Everybody wishes you well.

Best regards,

A handwritten signature in black ink, appearing to read "Robert Newton", written in a cursive style.

Robert Newton
Attorney at Law