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FOR IMMEDIATE RELEASE:

City of Hunters Creek Village institute 2nd lawsuit against City of Piney Point Village over
sabotage of
Storm Drainage System

After settlement talks failed, Hunters Creek today filed a 2nd lawsuit against Piney Point alleging inverse condemnation and seeking a permanent injunction. The lawsuit states that Piney Point's secret installation of a brick wall restrictor inside a 36 inch pipe was an attempt to sabotage the portion of Hunters Creek drainage system that is mutually shared by Piney Point. Hunters Creek alleges that Piney Point secretly installed the brick wall restrictor to force Hunters Creek to approve Piney Point's new drainage study that Piney Point must submit to the Harris County Flood Control District.

During recent severe rain events, Hunters Creek discovered that a portion of its multi-million dollar drainage system was malfunctioning due to the installation of the brick wall restrictor. Pursuant to an agreement between the two cities and the final Record Drawings (blueprints), Piney Point was obligated to drain the storm waters from Kemwood Drive, in Hunters creek, in to the shared system. The drainage pipes terminate and only empty the storm water in two areas located in Hunters Creek; at no point do the pipes empty their waters into Piney Point. The result of Piney Point's unilateral and secretive installation of the brick wall restrictor is that storm waters back up on Kemwood Drive causing significant street flooding. Hunters Creek alleges that Piney Point is using Hunters Creek's street as storage for storm waters that Piney Point is obligated to drain.

Piney Point's Engineer confirmed that the Mayor of Piney Point (Peter Nemeth) ordered the secret installation of the brick wall restrictor with the support of Piney Point City Council members. Piney Point admitted in Court that the installation of the brick wall restrictor was done in October 2011 without notice to Hunters Creek. As a result of Piney Point's blatant disregard for the health, safety, and welfare of the residents of Hunters Creek and the general public who travel its roads, Hunters Creek filed a lawsuit against Piney Point to remove the brick wall restrictor. Despite Hunters Creek officials' repeated requests, Piney Point refuses to remove the brick wall restrictor until Hunters Creek approves Piney Point's new drainage study.

This dispute originates from a 2002 joint project between Hunters Creek and Piney Point in which Piney Point requested to build a storm sewer underneath and through Hunters Creek at substantial savings to Piney Point.. In exchange for this cost saving drainage route, Piney Point agreed to allow Hunters Creek to connect adjacent streets like Kemwood Drive to the shared sewer system. Piney Point proposed an unrestricted 24 inch diameter storm sewer pipe connecting Kemwood Drive to the drainage system but later agreed to increase the pipe to 36

inches. Now that Hunters Creek has connected the 36 inch pipe, Piney Point now claims that the pipe should be reduced to 4 inches...at least until Hunters Creek approves Piney Point's new drainage study.

Hunters Creek intends to aggressively pursue its legal rights in both suits to protect its citizens and the traveling public.