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March 19, 2009

CERTIFIED MAIL - R/R/R
AND FIRST CLASS MAIL

Thien Phan
171 Chester Street
Worcester, MA 01605

Re: Winter Heights Subdivision

Dear Mr. Phan:

This office represents the Trustees of the Winter Heights Subdivision Maintenance Trust (the "Trustees"). The Trustees recently learned that on September 16, 2008 you acquired Parcel D shown on the Winter Heights Definitive Subdivision Plan from Mirajuddin Ahmed and Iqbal Ali, Trustees of Winter Heights Worcester Subdivision Trust.

The use and development of Parcel D is restricted for the benefit of the homeowner's of the Winter Heights Subdivision. Specifically, the Declaration of Restrictive Covenants recorded with the Worcester District Registry of Deeds in Book 21028, Page 1, as affected by the Reaffirmation of Declaration of Restrictive Covenants recorded with the Worcester District Registry of Deeds in Book 21465, Page 39, provides that land in the subdivision is subject to the Certificate of Approval issued by the Planning Board dated June 9, 1998. The Certificate of Approval provides that the two strips of land labeled Parcel C and Parcel D shall not be developed, but shall instead be held in common ownership with landscaping to be maintained by the Trustees. I have enclosed copies of the Declaration of Restrictive Covenants and the Certificate of Approval for your review.

The Trustees have reason to believe that in connection with your recent purchase of Parcel D you intend to disturb the landscaping on Parcel D in violation of the Certificate of Approval. The Trustees will take all appropriate legal action to prevent any disturbance to Parcel D.



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Please contact me at your earliest convenience to discuss a resolution to this matter.

Very truly yours,



Todd K. Helwig

TKH/jan
Enclosures

cc: Amanda Durkin, Trustee
Doug Napoleone, Trustee
Todd Golsch, Trustee
Joel Fontane, Director of Planning & Regulatory Services (w/ enc.)
Joseph R. Mikielian, Director of Code Enforcement (w/ enc.)
Gerald F. Madaus, Jr., Esq. (via facsimile w/ enc.)