

Todd, Amber

From: Clevenger, Ann
Sent: Friday, July 10, 2015 11:19 AM
To: Miller, Scott
Subject: FW: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time

Ann Clevenger, Planner III, AICP | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114 | Oakland, CA 94612 | Phone: (510)238-6980 | Fax: (510) 238-4730 | Email: aclevenger@oaklandnet.com | Website: www.oaklandnet.com/planning

-----Original Message-----

From: Edward Xiao [REDACTED]
Sent: Friday, July 10, 2015 11:10 AM
To: Clevenger, Ann
Subject: RE: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time

Hi Ann,

Yes, \$10,000 valuation of the tree bonds for 3 years. 3.5% tree bond rated quote per year from Alpha Surety was send to you already.

-Edward

On Fri, 7/10/15, Clevenger, Ann <AClevenger@oaklandnet.com> wrote:

Subject: RE: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time
To: "Edward Xiao" [REDACTED]
Date: Friday, July 10, 2015, 10:51 AM

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Hello Mr. Xiao,

I would like to clarify the amount you are proposing for your Tree Bond. In a previous e-mail (April 30, 2015), you proposed a Tree Bond value of \$10,000 for Tree A for 3 years. Is that still the case, or has the value you are proposing changed?

Regards,
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From: Edward Xiao [REDACTED]

Sent: Tuesday, June 30, 2015 9:32 AM

To: Miller, Scott; Clevenger, Ann

Subject: Re: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time

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On Tue, 6/30/15, Edward Xiao [REDACTED]
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Subject: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time

To: "Scott Miller" <smiller@oaklandnet.com>, "Ann Clevenger" <aclevenger@oaklandnet.com>

Date: Tuesday, June 30, 2015, 9:25 AM

Hi Scott and Ann,

Can you issue final planning approval for 6754 Aitken Dr? I just forward Ann the tree bond quote I just got for Oak Tree #A for 3 years per my verbal agreement. I sincerely request you to dismiss any pending objection immediately since Ms. Teegarden can justify her unreasonable \$50000 tree bond valuation with any legal support and her valuation method violate my ownership to Oak Tree #A.

BTW, I have relocated to [REDACTED] 95123 since June 18, 2015. Please forward your written decision letter to my new mailing address at San Jose.

Regards,
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[REDACTED]

On Thu, 5/28/15, Edward Xiao [REDACTED]
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Subject: Seeking Final Planning Approval for 6754 Aitken Dr, 2nd Time
To: "Scott Miller" <smiller@oaklandnet.com>, "Ann Clevenger" <aclevenger@oaklandnet.com>
Date: Thursday, May 28, 2015, 4:58 PM

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Date: Tuesday, May 12, 2015, 3:02 PM

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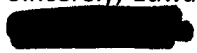
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Thank you
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consideration.

Best regards,
Catherine
Teegarden
6760 Aitken Dr.

Oakland, CA 94611

PLN 14268

----- Original Message -----

From: Ortrun

Niesar

To:

[REDACTED]

Sent:

Friday, May 08, 2015 12:34 PM

Subject: Re
Your Property Evaluation

Dear Catherine—

In response to your
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assessment of your property with and without the oak
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There is, however, the possibility that the
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understand that you may want to sell your

property in the near future. You have asked me to give you an opinion

about the likely impact your property would sustain should the tree be damaged or removed from its present location. Views and trees play an important role in the valuation and salability of a home. They are also often a point of contention between neighbors. In your case, while the tree trunk exists three feet into the neighboring property, the canopy exists at least 50%

on your property and is very much a part of your quiet enjoyment there.

Were the tree to be removed and the home exposed to negative street elements, thus diminished views, as well as be deprived of privacy on the southeast side of the house, there is a strong likelihood the home would have difficulty being sold at a competitive price when compared to similar

homes located in the area. The home would likely have greater difficulty being

sold within a reasonable period of time and may have to be discounted sharply. Perhaps as much as by \$50,000.

I hope that this provides you with sufficient information. Market influences are not a part of this

discussion,


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With Warm
Regards,

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94705


o 510.542.2600
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baysir.com

wsj.com/sothebysrealty
residelocalecalifornia

Todd, Amber

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Todd, Amber

From: Edward Xiao <[REDACTED]>
Sent: Wednesday, July 22, 2015 9:03 AM
To: Clevenger, Ann
Subject: RE: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time

Hi Ann,
Good morning. Is there any update on the final planning approval for 6754 Aitken Dr?
-Edward

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be \$50,000 and I am
sure

then that everyone will love that oak tree as much
as I
do,
and as a possible

future buyer of my home would.

Thank you
for your time and
consideration.

Best regards,
Catherine
Teegarden
6760 Aitken Dr.

Oakland, CA 94611

PLN 14268

----- Original Message -----

From: Ortrun

Niesar

To:

Sent:

Friday, May 08, 2015 12:34 PM

Subject: Re

Your Property Evaluation

Dear Catherine—

In response to your
request for an informal

assessment of your property with and without the
oak
tree canopy in
question.

I have

visited the site in May 6, 2015. You have a robust
oak

tree with full canopy and apparently in good condition framing the right side of your house and providing important screening from the street and an

intrusive telephone pole with heavy wiring.

The

canopy further provides privacy for the bedrooms and two decks facing east and south, a feature that will take on even more importance

once a home is constructed within less than fifteen feet. of this side of your house.

Right now the oak tree provides good separation between the properties.

There is, however, the possibility that the tree will be lost or damaged in the construction process of the neighboring house.

I

understand that you may want to sell your property in the near future. You have asked me to give you an opinion

about the likely impact your property would sustain should

the tree be damaged or removed from its present location. Views and trees play an important role in the valuation and salability of a home. They are also often a point of contention between neighbors. In your case, while

the tree trunk
exists three feet into the neighboring
property, the canopy
exists at least 50%

on your property and is very much a part
of your quiet
enjoyment there.

Were the tree to be removed and the home
exposed to
negative street
elements, thus diminished views, as well as
be
deprived of
privacy on the
southeast side of the house, there is a
strong
likelihood
the home would have
difficulty being sold at a competitive
price
when compared
to similar

homes located in the area. The home would likely
have
greater difficulty being

sold within a reasonable period of time and may have
to
be
discounted
sharply.
Perhaps as much as by \$50,000.

I hope that this
provides you
with sufficient
information. Market
influences are not a part of this


discussion,
nor are personal preferences
and opinions as to the
condition of the
tree and
issues related to property
lines and the natural growth
and legal
rights
of trees.

With Warm
Regards,

Ortrun Niesar

Ortrun
Niesar
Bay
Sotheby's
International Realty
California BRE
#01161032
2 Tunnel Road

Berkeley, CA
94705


o 510.542.2600
ortrun.niesar@sothebysrealty.com

baysir.com

wsj.com/sothebysrealty
residelocalecalifornia

Todd, Amber

From: Clevenger, Ann
Sent: Wednesday, July 22, 2015 10:01 AM
To: Miller, Scott
Subject: FW: Fw: Re Your Property Evaluation

Scott,

See highlighted portion below for Catherine Teegarden's last e-mail.

Ann Clevenger, Planner III, AICP | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114 | Oakland, CA 94612 | Phone: (510)238-6980 | Fax: (510) 238-4730 | Email: aclevenger@oaklandnet.com | Website: www.oaklandnet.com/planning

-----Original Message-----

From: Fixerloans1@yahoo.com [REDACTED]
Sent: Friday, May 29, 2015 9:37 AM
To: Edward Xiao; Miller, Scott; Clevenger, Ann
Subject: Re: Fw: Re Your Property Evaluation

Dear Ed,

At the meeting attended by you, me and a neighbor and Scott Miller, Ann Clevenger, your architect, and your tree person, you AGREED TO place a BOND on Tree A when I discussed how much my enjoyment of my property and my market value would suffer if tree A were to be damaged or destroyed by your construction being too close to the tree (3 and one-half feet from the tree trunk).

Are you now refusing that agreement witnessed by all the above people?

Yours truly,

Catherine Teegarden
6760 Aitken Drive

----- Original Message -----

From: "Edward Xiao" [REDACTED]
To: "ScottMiller" <SMiller@oaklandnet.com>; "AnnClevenger" <AClevenger@oaklandnet.com>; [REDACTED]
Sent: Thursday, May 28, 2015 4:48 PM
Subject: Re: Fw: Re Your Property Evaluation

Dear Catherine,

After consulting with my legal adviser, I am rejecting your unreasonable demand for pricing a tree bond on my tree based on your property valuation.

If you still insisted on pricing my tree using your property value, then please consult your legal adviser and cited the relevant legal statute in writing to support your demand.

Sincerely,

-Edward Xiao

On Fri, 5/8/15, Fixerloans1@yahoo.com <Fixerloans1@yahoo.com> wrote:

Subject: Fw: Re Your Property Evaluation

To: "Miller, Scott" <SMiller@oaklandnet.com>, "Clevenger, Ann"

<AClevenger@oaklandnet.com>, "Edward Xiao" [REDACTED]

Date: Friday, May 8, 2015, 12:56 PM

_filtered #yiv9869829408 {
font-family: Cambria Math;}
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Dear Scott, Ann and

Edward:

Hello to all!

re: amount of oak tree

A's bond amount as it

affects my property's market value, with and without the presence of this beautiful oak which is the essence of my view from both decks and my bedroom window. I have had a well-respected realtor (in business about 15 years in Montclair) come look at my home (she spent 2 hours here analyzing my concerns).

She has provided the below

letter to give her

opinion regarding the importance of the preservation of the Oak tree.
Mr. Xiao has proposed a
bond amount of \$10,000
which is not nearly enough.
The bond amount needs to be
\$50,000 and I am sure
then that everyone will love that oak tree as much as I do, and as a possible future buyer of my home would.
Thank you for your time and

consideration.

Best regards,

Catherine

Teegarden

6760 Aitken

Dr.

Oakland, CA

94611

PLN 14268

----- Original Message -----

From: Ortrun

Niesar

To: [REDACTED]

Sent: Friday, May 08, 2015 12:34 PM

Subject: Re Your Property Evaluation

Dear Catherine—

In response to your
request for an informal
assessment of your property with and without the oak tree canopy in question.

I have visited the site in
May 6, 2015. You have a robust oak
tree with full canopy and apparently in good condition framing the right side of your house and providing important
screening from the street and an
intrusive telephone pole with heavy wiring. The canopy further provides privacy for the bedrooms and two decks
facing east and
south, a feature that will take on even more importance once a home is constructed within less than fifteen feet. of
this side of your house.

Right now the oak tree provides good separation between the properties.
There is, however, the possibility that the tree will be lost or damaged in the construction process of the neighboring
house.

I understand that you
may want to sell your
property in the near future. You have asked me to give you an opinion about the likely impact your property would
sustain should the tree be damaged or removed from its present location. Views and trees play an important role in
the valuation and salability of a home. They are also often a point of contention between neighbors. In your case,

while the tree trunk exists three feet into the neighboring property, the canopy exists at least 50% on your property and is very much a part of your quiet enjoyment there.

Were the tree to be removed and the home exposed to negative street elements, thus diminished views, as well as be deprived of privacy on the southeast side of the house, there is a strong likelihood the home would have difficulty being sold at a competitive price when compared to similar homes located in the area. The home would likely have greater difficulty being sold within a reasonable period of time and may have to be discounted sharply. Perhaps as much as by \$50,000.

I hope that this provides
you with sufficient

information. Market influences are not a part of this discussion, nor are personal preferences and opinions as to the condition of the tree and issues related to property lines and the natural growth and legal rights of trees.

With Warm Regards,

Ortrun Niesar

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resideloalecalifornia

Todd, Amber

From: Clevenger, Ann
Sent: Wednesday, July 22, 2015 10:05 AM
To: Edward Xiao
Cc: Miller, Scott
Subject: RE: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time

Hello, Edward,

Can you please clarify why the bond amount shows \$1,050?

Thanks.
Ann

Ann Clevenger, Planner III, AICP | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114 | Oakland, CA 94612 | Phone: (510)238-6980 | Fax: (510) 238-4730 | Email: aclevenger@oaklandnet.com | Website: www.oaklandnet.com/planning

-----Original Message-----

From: Edward Xiao [REDACTED]
Sent: Friday, July 10, 2015 11:10 AM
To: Clevenger, Ann
Subject: RE: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time

Hi Ann,
Yes, \$10,000 valuation of the tree bonds for 3 years. 3.5% tree bond rated quote per year from Alpha Surety was send to you already.
-Edward

On Fri, 7/10/15, Clevenger, Ann <AClevenger@oaklandnet.com> wrote:

Subject: RE: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time
To: "Edward Xiao" [REDACTED]
Date: Friday, July 10, 2015, 10:51 AM

#yiv1831944004
#yiv1831944004 -- .yiv1831944004EmailQuote
{margin-left:1pt;padding-left:4pt;border-left:#800000 2px
solid;}#yiv1831944004

Hello Mr. Xiao,

I would like to clarify the amount you are proposing for your Tree Bond. In a previous e-mail (April 30, 2015), you proposed a Tree Bond value of \$10,000 for Tree A for 3 years. Is that still the case, or has the value you are proposing changed?

Regards,
Ann Clevenger

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-----Original
Message-----

From: Edward Xiao [REDACTED]

Sent: Tuesday, June 30, 2015 9:32 AM

To: Miller, Scott; Clevenger, Ann

Subject: Re: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time

Typo correction, I mean Ms. Teegarden can not justify her unreasonable \$50000 tree bond valuation demand with any legal support.

On Tue, 6/30/15, Edward Xiao [REDACTED]
wrote:

Subject: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time

To: "Scott Miller" <smiller@oaklandnet.com>, "Ann Clevenger" <aclevenger@oaklandnet.com>

Date: Tuesday, June 30, 2015, 9:25 AM

Hi Scott and Ann,

Can you issue final planning approval for 6754 Aitken Dr? I just forward Ann the tree bond quote I just got for Oak Tree #A for 3 years per my verbal agreement. I sincerely request you to dismiss any pending objection immediately since Ms. Teegarden can justify her unreasonable \$50000 tree bond valuation with any legal support and her valuation method violate my ownership to Oak Tree #A.

BTW, I have relocated to [REDACTED]

[REDACTED] since June 18, 2015. Please forward your written decision letter to my new mailing address at San Jose.

Regards,
Edward Xiao

On Thu, 5/28/15, Edward Xiao [REDACTED]
wrote:

Subject: Seeking Final Planning Approval for 6754 Aitken Dr, 2nd Time
To: "Scott Miller" <smiller@oaklandnet.com>, "Ann Clevenger" <aclevenger@oaklandnet.com>
Date: Thursday, May 28, 2015, 4:58 PM

Hi Scott
and Ann,

It is been more than two weeks
since I request final planning approval since May 12,
2015. I am requesting the city to provide final planning
approval of 6754 Aitken Dr ASAP. If the city can not
provide approval at this time, then please provide reasons
in writing.

Sincerely,

-Edward Xiao

On Tue, 5/12/15, Edward Xiao [REDACTED]
wrote:

Subject: Fw: Re
Your Property Evaluation
To: "Scott
Miller" <smiller@oaklandnet.com>,
"Ann Clevenger" <aclevenger@oaklandnet.com>
Date: Tuesday, May 12, 2015, 3:02 PM


Hi Scott


and Ann, Catherine
Teegarden' is
demanding that I put a tree bond that

benefit her for the value of \$50,000 in case the oak tree
located within my property line might dies

during
construction activity. From legal
stand point, her request
is illogical since
she is not the owner of the
tree.
I have been
patient in
cooperating with mediation request from the city
to resolve our disputes. However, based on
the last two
emails that Catherine
Teegarden's send last Friday, she
is
still try to stop my construction project with outrages
demand and try to extract financial benefit
from me for
property right that she does
not own . I am viewing her
act is
financial extortion at this point. Hence, I have
decide to face her in court regarding this
matter to
recover my lost in arborist fee
and architect fee since her
complain to the
city of Oakland last year. Can City of

Oakland issues final planning approval for my project at
6754 Aitken Dr as it is?

Sincerely,-Edward Xiao


On Friday, May 8,
2015 12:56 PM,


wrote:

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re: amount of oak tree A's bond amount
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Todd, Amber

From: Edward Xiao [REDACTED]
Sent: Wednesday, July 22, 2015 10:22 AM
To: Clevenger, Ann
Cc: Miller, Scott
Subject: RE: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time

Hi Ann,

The tree bond quoted from Alpha Surety is value at \$10,000 for three years, calculated at 3.5% bond premium. \$10,000 * 3.5%/per year * 3 years = \$1050.

-Edward

On Wed, 7/22/15, Clevenger, Ann <AClevenger@oaklandnet.com> wrote:

Subject: RE: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time
To: "Edward Xiao" [REDACTED]
Cc: "Miller, Scott" <SMiller@oaklandnet.com>
Date: Wednesday, July 22, 2015, 10:04 AM

Hello, Edward,

Can you please clarify why the bond amount shows \$1,050?

Thanks.

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On Fri, 7/10/15, Clevenger, Ann <AClevenger@oaklandnet.com>
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Subject: RE:
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sincerely request you to dismiss any pending objection
immediately since Ms. Teegarden can justify her
unreasonable \$50000 tree bond valuation with any legal
support and her valuation method violate my ownership to
Oak Tree #A.

BTW, I have relocated to [REDACTED]
[REDACTED] since June
18, 2015. Please forward your written decision letter
to my new mailing address at San Jose.

Regards,

Edward Xiao

On Thu, 5/28/15, Edward Xiao [REDACTED]
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To: "Scott
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I have been
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However, based on
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Teegarden's send last Friday, she


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the
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#yiv3313214362

.yiv3313214362MsoChpDefault {
}
#yiv3313214362

{
}

Dear Scott, Ann and

Edward:

Hello to all!

re: amount of oak tree A's bond
amount

as

it

affects my

property's market value , with and without
the presence of this

beautiful oak which is the essence of
my view from both
decks and my
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Montclair) come look at my home (she
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tree.

Mr. Xiao has
proposed
a bond amount of \$10,000
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not nearly enough.

The bond amount needs to
be \$50,000 and
I am
sure

then that everyone will love that oak tree
as much as I
do,

and as a possible

future buyer of my home would.

Thank
you
for your time and

consideration.

Best regards,
Catherine

Teegarden
6760 Aitken Dr.

Oakland, CA 94611
PLN 14268

Original Message -----

From: Ortrun
Niesar
To:

[REDACTED]

Sent:

Friday, May 08, 2015
12:34 PM
Subject: Re

Your Property Evaluation

Dear Catherine—

In response to your
request for an informal

assessment of your property with
and without the oak
tree canopy
in
question.

I have

visited the site in May 6, 2015. You have a
robust oak
tree with full canopy and
apparently in good
condition
framing the right side of
your house and providing important
screening
from the street
and an

intrusive telephone pole with heavy
wiring. The
canopy

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privacy for the bedrooms and two decks

facing
east and

south, a feature
that will take on
even more importance

once a home is
constructed within
less
than fifteen feet. of this side
of
your
house.

Right now the oak tree provides
good separation between

the properties.

There is, however,
the possibility that the
tree will be
lost or damaged in the

construction process of the neighboring house.

I

understand that you may want to sell your
property in the near future. You have
asked
me to give you

an opinion

about
the likely impact your property would sustain
should
the tree be
damaged
or removed from its present
location. Views
and trees play
an important
role
in the valuation and salability of a

home. They are
also often
a point of contention between neighbors.
In
your case, while

the tree trunk
exists three feet
into the neighboring
property, the
canopy
exists at least 50%

on your property and
is very much a part
of your quiet
enjoyment there.

Were the tree to be removed and the home
exposed to
negative
street

elements, thus diminished
views, as well as be
deprived of
privacy on the

southeast side of the house, there is a strong
likelihood
the home
would have
difficulty being sold at a
competitive price
when compared
to similar

homes located in the area. The home would
likely have
greater difficulty being

sold within a
reasonable period of time and may have to

be
discounted

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Perhaps as much as by \$50,000.

I hope
that this
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with sufficient

information. Market
influences are
not a part of this

discussion,
nor are personal
preferences
and opinions as to the
condition of the
tree
and
issues related to property
lines and the natural growth
and legal
rights
of trees.

With Warm

Regards,


Ortrun Niesar

Ortrun
Niesar
Bay
Sotheby's

International Realty
California BRE
#01161032
2 Tunnel
Road

Berkeley, CA

94705


o 510.542.2600
ortrun.niesar@sothebysrealty.com

baysir.com

wsj.com/sothebysrealty

resideloalecalifornia

Todd, Amber

From: Edward Xiao [REDACTED]
Sent: Wednesday, July 22, 2015 10:29 AM
To: Clevenger, Ann
Subject: FYI: Re: tree bond

--- On Wed, 6/17/15, Jason Jenkins <jlj@alphasurety.com> wrote:

> From: Jason Jenkins <jlj@alphasurety.com>
> Subject: Re: tree bond
> To: "Edward Xiao" [REDACTED]
> Date: Wednesday, June 17, 2015, 1:03 AM Ok. It will be \$350 x 3 years
> plus \$75 one time fee. Are you ok with that?
>
>
> Jason
> Jenkins, President
> Alpha Surety &
> Insurance Brokerage
> Phone 510.435.8425
> Fax 510.588.4869
> JLJ@alphasurety.com
>
> San Francisco, CA
> Little Rock, AR
>
> Surety Solutions. Fast. Simple.
>
>
>
>
>
> On 6/16/15, 2:52 PM,
> "Edward Xiao" [REDACTED]
> wrote:
>
> > Jason,
> > Can you write up a official tree bond quote
> > in pdf file format for the
> > valuation of
> > \$10K for three years. Language of the tree bond is to cover
> > replant cost of a live coastal oak
> > tree, 24 inches box, at 6754 Aitken
> > Dr,
> > Oakland, CA, I need to send it into City of Oakland for approval.

>>-Edward [REDACTED]

>>

>>

Todd, Amber

From: Edward Xiao [REDACTED]
Sent: Wednesday, July 29, 2015 1:34 PM
To: Clevenger, Ann
Cc: Miller, Scott
Subject: Seeking Final Planning Approval for 6754 Aitken Dr, 4thTime

Hi Ann,
I have provided explanation you wanted. What is required to get final planning approval at this time?
-Edward

On Wed, 7/22/15, Edward Xiao [REDACTED]

Subject: RE: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time
To: "AnnClevenger" <AClevenger@oaklandnet.com>
Cc: "ScottMiller" <SMiller@oaklandnet.com>
Date: Wednesday, July 22, 2015, 10:22 AM

Hi Ann,
The tree bond quoted from Alpha Surety is value at \$10,000 for three years, calculated at 3.5% bond premium. \$10,000
* 3.5%/per year * 3 years = \$1050.
-Edward

On Wed, 7/22/15, Clevenger, Ann <AClevenger@oaklandnet.com>
wrote:

Subject: RE: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time
To: "Edward Xiao" [REDACTED]
Cc: "Miller, Scott" <SMiller@oaklandnet.com>
Date: Wednesday, July 22, 2015, 10:04 AM

Hello, Edward,

Can you please clarify why the
bond amount shows \$1,050?

Thanks.
Ann

Ann Clevenger, Planner III, AICP | City of
Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite
2114 | Oakland, CA 94612 | Phone: (510)238-6980 | Fax:
(510)
238-4730 | Email: aclevenger@oaklandnet.com |
Website: www.oaklandnet.com/planning

-----Original

Message-----

From: Edward Xiao [REDACTED]

Sent: Friday, July 10, 2015 11:10 AM

To: Clevenger, Ann

Subject: RE:

Seeking Final Planning Approval for 6754 Aitken Dr, 3rd
Time

Hi Ann,

Yes, \$10,000 valuation of the tree bonds for 3
years. 3.5% tree bond rated quote per year from Alpha Surety
was send to you already.

-Edward

On Fri, 7/10/15, Clevenger, Ann <AClevenger@oaklandnet.com>
wrote:

Subject: RE:

Seeking Final Planning Approval for 6754 Aitken Dr, 3rd
Time

To: "Edward Xiao" [REDACTED]

Date: Friday, July 10, 2015, 10:51 AM

#yiv1831944004

#yiv1831944004 -- .yiv1831944004EmailQuote

{margin-left:1pt;padding-left:4pt;border-left:#800000 2px
solid;}#yiv1831944004

Hello Mr. Xiao,

I would like to clarify the amount you are
proposing for your Tree Bond. In a previous e-mail
(April 30, 2015), you proposed a Tree Bond value of
\$10,000 for Tree A for 3 years. Is that still the
case, or has the value you are proposing changed?

Regards,
Ann Clevenger

Ann Clevenger,

Planner III, AICP | City of Oakland | Bureau of Planning |
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Phone:
(510)238-6980 | Fax: (510)
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Email: aclevenger@oaklandnet.com |
Website:
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-----Original
Message-----

From: Edward Xiao [REDACTED]

Sent: Tuesday, June 30, 2015 9:32 AM

To:
Miller, Scott; Clevenger, Ann

Subject: Re: Seeking Final
Planning Approval for 6754 Aitken Dr, 3rd Time

Typo correction, I mean
Ms. Teegarden can not justify her unreasonable \$50000 tree
bond valuation demand with any legal support.

On Tue, 6/30/15, Edward Xiao [REDACTED]
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Subject: Seeking Final Planning Approval for 6754 Aitken
Dr, 3rd Time

To: "Scott Miller"
<smiller@oaklandnet.com>,
"Ann Clevenger" <aclevenger@oaklandnet.com>
Date: Tuesday, June 30, 2015, 9:25 AM

Hi
Scott and Ann,
Can you issue final

planning approval for
6754 Aitken

Dr? I just forward Ann the tree bond quote I just got
for Oak Tree #A for 3 years per my verbal agreement. I
sincerely request you to dismiss any pending objection
immediately since Ms. Teegarden can justify her
unreasonable \$50000 tree bond valuation with any legal
support and her valuation method violate my ownership to
Oak Tree #A.

BTW, I have relocated to [REDACTED]

[REDACTED] since June

18, 2015. Please forward your written decision letter
to my new mailing address at San Jose.

Regards,
Edward Xiao

On Thu, 5/28/15, Edward Xiao [REDACTED]
wrote:

Subject: Seeking Final Planning Approval for 6754
Aitken Dr, 2nd Time
To: "Scott
Miller" <smiller@oaklandnet.com>,
"Ann Clevenger" <aclevenger@oaklandnet.com>
Date: Thursday, May 28, 2015, 4:58 PM

Hi
Scott
and Ann,
It
is been more than two weeks
since I
request final planning approval since May 12,
2015. I am requesting the city to provide
final planning
approval of 6754 Aitken

Dr ASAP. If the city can not
provide
approval at this time, then please provide reasons
in writing.

Sincerely,

-Edward Xiao

On Tue, 5/12/15, Edward Xiao [REDACTED]
wrote:

Subject: Fw: Re
Your
Property Evaluation
To: "Scott
Miller" <smiller@oaklandnet.com>,
"Ann Clevenger" <aclevenger@oaklandnet.com>
Date: Tuesday, May 12, 2015, 3:02 PM

Hi Scott

and Ann, Catherine
Teegarden' is

demanding that I put a tree bond that

benefit her for the value of \$50,000 in
case the oak tree
located within my
property line might dies
during
construction activity. From legal
stand point, her request

is illogical since
she is not the
owner of the
tree.

I have been
patient in
cooperating with mediation request from
the city
to resolve our disputes.
However, based on
the last two
emails that Catherine

Teegarden's send last Friday, she

is

still try to stop my construction
project with outrages
demand and try
to extract financial benefit
from me

for

property right that she does
not own . I am viewing her
act is
financial
extortion at this point. Hence, I have
decide to face her in court regarding
this
matter to

recover my lost in arborist fee
and
architect fee since her
complain to
the
city of Oakland last year. Can
City of

Oakland
issues final planning approval for my project at
6754 Aitken Dr as it is?

Sincerely,-Edward Xiao

On Friday, May 8,
2015 12:56 PM,

wrote:

#yiv3313214362 filtered {

font-family: Cambria
Math;}

#yiv3313214362

filtered {

font-family:Calibri;}

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filtered {

font-family:Verdana;}

#yiv3313214362

filtered {

font-family:Gill Sans MT;}

#yiv3313214362 filtered {margin:1.0in

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1.0in 1.0in;}

#yiv3313214362

P.yiv3313214362MsoNormal {

MARGIN:0in

0in

Opt;FONT-SIZE:11pt;}

#yiv3313214362

LI.yiv3313214362MsoNormal {

MARGIN:0in

0in

Opt;FONT-SIZE:11pt;}

#yiv3313214362

DIV.yiv3313214362MsoNormal {

MARGIN:0in 0in

Opt;FONT-SIZE:11pt;}

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A:link

{

COLOR:#0563c1;TEXT-DECORATION:underline;}

#yiv3313214362

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COLOR:#0563c1;TEXT-DECORATION:underline;}

#yiv3313214362 A:visited {

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#yiv3313214362

SPAN.yiv3313214362MsoHyperlinkFollowed {

COLOR:#954f72;TEXT-DECORATION:underline;}
#yiv3313214362

SPAN.yiv3313214362EmailStyle17 {

COLOR:windowtext;}

#yiv3313214362

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DIV.yiv3313214362WordSection1
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Thank
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Best regards,
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Teegarden
6760 Aitken Dr.

Oakland, CA 94611
PLN 14268

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[REDACTED]

Sent:

Friday, May 08, 2015

12:34 PM

Subject: Re

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Dear Catherine—

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With Warm

Regards,

Ortrun Niesar

Ortrun
Niesar
Bay
Sotheby's

International Realty
California BRE
#01161032
2 Tunnel
Road

Berkeley, CA

94705


o 510.542.2600
ortrun.niesar@sothebysrealty.com

baysir.com

wsj.com/sothebysrealty

resideloalecalifornia

Todd, Amber

From: Clevenger, Ann
Sent: Tuesday, August 04, 2015 2:21 PM
To: Miller, Scott
Subject: FW: Seeking Final Planning Approval for 6754 Aitken Dr, 4thTime

Hi, Scott,

Last we talked about this one, we were going to contact Ms. Teegarden. Let me know if you want to do that together in a conference call. Thanks!

Ann

Ann Clevenger, Planner III, AICP | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114 | Oakland, CA 94612 | Phone: (510)238-6980 | Fax: (510) 238-4730 | Email: aclevenger@oaklandnet.com | Website: www.oaklandnet.com/planning

-----Original Message-----

From: Edward Xiao [REDACTED]
Sent: Wednesday, July 29, 2015 1:34 PM
To: Clevenger, Ann
Cc: Miller, Scott
Subject: Seeking Final Planning Approval for 6754 Aitken Dr, 4thTime

Hi Ann,
I have provided explanation you wanted. What is required to get final planning approval at this time?
-Edward

On Wed, 7/22/15, Edward Xiao [REDACTED]

Subject: RE: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time
To: "AnnClevenger" <AClevenger@oaklandnet.com>
Cc: "ScottMiller" <SMiller@oaklandnet.com>
Date: Wednesday, July 22, 2015, 10:22 AM

Hi Ann,
The tree bond quoted from Alpha Surety is value at \$10,000 for three years, calculated at 3.5% bond premium. \$10,000 * 3.5%/per year * 3 years = \$1050.
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On Wed, 7/22/15, Clevenger, Ann <AClevenger@oaklandnet.com>
wrote:

Subject: RE: Seeking Final Planning Approval for 6754 Aitken Dr, 3rd Time
To: "Edward Xiao" [REDACTED]
Cc: "Miller, Scott" <SMiller@oaklandnet.com>
Date: Wednesday, July 22, 2015, 10:04 AM

Hello, Edward,

Can you please clarify why the
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Thanks.
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Date: Friday, July 10, 2015, 10:51 AM

#yiv1831944004
#yiv1831944004 -- .yiv1831944004EmailQuote

{margin-left:1pt;padding-left:4pt;border-left:#800000 2px solid;}#yiv1831944004

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I would like to clarify the amount you are proposing for your Tree Bond. In a previous e-mail (April 30, 2015), you proposed a Tree Bond value of \$10,000 for Tree A for 3 years. Is that still the case, or has the value you are proposing changed?

Regards,
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Ann Clevenger,
Planner III, AICP | City of Oakland | Bureau of Planning |
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Typo correction, I mean
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BTW, I have relocated to [REDACTED]
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Miller" <smiller@oaklandnet.com>,
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Date: Thursday, May 28, 2015, 4:58 PM

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P.yiv3313214362MsoNormal {

MARGIN: 0in

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Opt; FONT-SIZE: 11pt;}

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DIV.yiv3313214362MsoNormal {

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0pt;FONT-SIZE:11pt;}
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SPAN.yiv3313214362MsoHyperlinkFollowed {

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property's market value , with and without
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beautiful oak which is the essence of
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importance of the preservation of the

Oak

tree.
Mr. Xiao has
proposed
a bond amount of \$10,000
which is
not nearly enough.

The bond amount needs to
be \$50,000 and
I am
sure

then that everyone will love that oak tree
as much as I
do,

and as a possible

future buyer of my home would.

Thank
you
for your time and

consideration.

Best regards,
Catherine

Teegarden
6760 Aitken Dr.

Oakland, CA 94611
PLN 14268

Original Message -----

From: Ortrun

Niesar

To:

[REDACTED]

Sent:

Friday, May 08, 2015
12:34 PM

Subject: Re

Your Property Evaluation

Dear Catherine—

In response to your
request for an informal

assessment of your property with
and without the oak
tree canopy
in
question.

I have

visited the site in May 6, 2015. You have a
robust oak
tree with full canopy and
apparently in good
condition
framing the right side of
your house and providing important
screening
from the street
and an

intrusive telephone pole with heavy
wiring. The
canopy

further
provides

privacy for the bedrooms and two decks

facing
east and

south, a feature
that will take on
even more importance

once a home is
constructed within
less
than fifteen feet. of this side
of
your
house.

Right now the oak tree provides
good separation between

the properties.

There is, however,
the possibility that the
tree will be
lost or damaged in the

construction process of the neighboring house.

I

understand that you may want to sell your
property in the near future. You have

asked
me to give you

an opinion

about
the likely impact your property would sustain
should
the tree be
damaged
or removed from its present
location. Views
and trees play
an important
role
in the valuation and salability of a

home. They are
also often
a point of contention between neighbors.

In
your case, while

the tree trunk
exists three feet
into the neighboring
property, the
canopy
exists at least 50%

on your property and
is very much a part
of your quiet
enjoyment there.

Were the tree to be removed and the home
exposed to
negative
street
elements, thus diminished
views, as well as be
deprived of
privacy on the

southeast side of the house, there is a strong
likelihood
the home
would have
difficulty being sold at a
competitive price
when compared
to similar

homes located in the area. The home would
likely have
greater difficulty being

sold within a
reasonable period of time and may have to

be
discounted

sharply.
Perhaps as much as by \$50,000.

I hope
that this
provides you
with sufficient

information. Market
influences are
not a part of this

discussion,
nor are personal
preferences
and opinions as to the
condition of the
tree
and
issues related to property
lines and the natural growth
and legal
rights
of trees.

With Warm

Regards,


Ortrun Niesar

Ortrun
Niesar
Bay
Sotheby's

International Realty
California BRE
#01161032
2 Tunnel
Road

Berkeley, CA

94705


o 510.542.2600
ortrun.niesar@sothebysrealty.com

baysir.com

wsj.com/sothebysrealty

[residelocalecalifornia](#)

Todd, Amber

From: Clevenger, Ann
Sent: Friday, August 14, 2015 2:07 PM
To: [REDACTED]
Cc: Miller, Scott
Subject: Aitken Drive - tree bond

Hello, Edward,

Scott and I have been looking at your proposed bond information, and have done some additional research on the bond amount.

Based on the National Tree Benefit Calculator, using the size and species and other known data for the tree, and an estimated age of 50 years, the value for the tree came to \$12,950. Therefore, the bond amount should be adjusted to reflect the \$12,950 value. With this adjustment, we would support the bond proposal and make the necessary revisions to the Conditions of Approval. If we can reach such an agreement, Scott and I will contact Ms. Teegarden and inform her accordingly.

Please let me know if you have any questions.

Thank you,
Ann

Ann Clevenger, Planner III, AICP | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 2114 | Oakland, CA 94612 | Phone: (510)238-6980 | Fax: (510) 238-4730 | Email: aclevenger@oaklandnet.com | Website: www.oaklandnet.com/planning

Todd, Amber

From: Edward Xiao [REDACTED]
Sent: Friday, August 14, 2015 4:55 PM
To: Clevenger, Ann
Cc: Miller, Scott
Subject: Re: Aitken Drive - tree bond

Hi Ann,
Agree to your valuation method. \$12950 it is.
-Edward

On Fri, 8/14/15, Clevenger, Ann <AClevenger@oaklandnet.com> wrote:

Subject: Aitken Drive - tree bond
To: [REDACTED]
Cc: "Miller, Scott" <SMiller@oaklandnet.com>
Date: Friday, August 14, 2015, 2:06 PM

Hello, Edward,

Scott and I have been
looking at your proposed bond information, and have done some additional research on the bond amount.

Based on the National Tree
Benefit Calculator, using the size and species and other known data for the tree, and an estimated age of 50 years, the value for the tree came to \$12,950. Therefore, the bond amount should be adjusted to reflect the \$12,950 value. With this adjustment, we would support the bond proposal and make the necessary revisions to the Conditions of Approval. If we can reach such an agreement, Scott and I will contact Ms. Teegarden and inform her accordingly.

Please let me know if you
have any questions.

Thank you,
Ann

Ann Clevenger,
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| City of Oakland | Bureau of Planning | 250 Frank H.
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(510)238-6980 | Fax: (510) 238-4730 | Email:
aclevenger@oaklandnet.com | Website:
www.oaklandnet.com/planning

Todd, Amber

From: Edward Xiao [REDACTED]
Sent: Monday, August 17, 2015 10:23 AM
To: Clevenger, Ann
Cc: Miller, Scott
Subject: Re: Aitken Drive - tree bond

Hi Ann and Scott,
Just reminder that I change my mailing address to 5399 Garrison Circle, San Jose, CA 95123. Looking forward to hear back from you soon.
-Edward

On Fri, 8/14/15, Edward Xiao [REDACTED] wrote:

Subject: Re: Aitken Drive - tree bond
To: "AnnClevenger" <AClevenger@oaklandnet.com>
Cc: "ScottMiller" <SMiller@oaklandnet.com>
Date: Friday, August 14, 2015, 4:55 PM

Hi Ann,
Agree to your valuation method. \$12950 it is.
-Edward

On Fri, 8/14/15, Clevenger, Ann <AClevenger@oaklandnet.com> wrote:

Subject: Aitken Drive -
tree bond
To: [REDACTED]
Cc: "Miller, Scott" <SMiller@oaklandnet.com>
Date: Friday, August 14, 2015, 2:06 PM

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If we can reach such an agreement, Scott and I will contact Ms. Teegarden and inform

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Please let me know if you have any questions.

Thank you,
Ann

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Email:

aclevenger@oaklandnet.com |

Website:

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