

STATE OF NORTH CAROLINA
COUNTY OF DURHAM

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
10 CVD 3607

BRIAN P. MULLIGAN and MARGARET)
MULLIGAN,)

Plaintiff,)

vs.)

JOSEPH PELDUNAS and DORI)
POCIUS-PELDUNAS,)

Defendants.)

AFFIDAVIT OF Paul Wiebke

NOW COMES Paul Wiebke first being duly sworn, respectfully shows the Court the following:

1. I, Paul Wiebke, am over 18, of sound mind and competent to give this affidavit. I know of the following facts of my personal knowledge.

2. I am a Civil Engineer and am the Assistant Stormwater Manager of the Storm Water Services Division of the Department of Public Works of the City of Durham.

3. In responding to a letter from Mr. Mulligan, I made a visit to the property at issue in this action on September 20, 2010. I have also had input from staff members that visited the site in December, 2009.

4. The drainage system for Firethorn court was constructed in accordance with the approved construction plan that showed the piped system discharging into a rip rap apron outlet at the location as it currently exists.

5. There is no evidence that there has been any appreciable change in the design of the drainage system for Firethorn Court. The addition of the patio and fire pit should not make a significant difference in the runoff from this site.

6. Several locations within the fenced backyard of 3118 Marywood Drive owned by Mr. Mulligan lacked vegetation and showed signs of erosion including some locations not in the direct path of runoff from 8 Firethorn Court.

This the 14th day of October, 2010.

Paul Wiebke
Paul Wiebke

Sworn to and subscribed before me
this the 14th day of October, 2010

Justin P. W. Miller
Notary Public
My commission expires: 4/17/2015

