

JOSEPH FREED AND ASSOCIATES LLC

August 11, 2010

Kevin McDonald  
Senior Assistant City Attorney  
City of Ann Arbor MI  
100 N. Fifth Avenue  
PO Box 8647  
Ann Arbor Mi 48107-8647

RECEIVED  
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OFFICE OF THE CITY ATTORNEY  
CITY OF ANN ARBOR

RE: Glen Ann Place PUD

Dear Mr. McDonald:

This is a request from Joseph Freed and Associates LLC, as agent, and Glen Ann Place LLC, as owner of the property subject to the Glen Ann Place PUD, to the City of Ann Arbor for the purpose of entering upon the process to extend the deadline for certain performance under the Glen Ann Place PUD.

Heretofore, the City Attorney's Office had advised us that the appropriate approach to such an extension would be to write this letter as a statement of what we want to achieve.

While the objective stated above is relatively straightforward and clear, we appreciate that the process is likely to be reasonably complex, involving the owners of the Glen Ann Place site, the City of Ann Arbor, the State of Michigan Historic Preservation Review Board, and the Ann Arbor Historic District commission, all under the purview of the Circuit Court of Washtenaw County Michigan.

In particular, Section 14 of the Consent Judgment from the Circuit Court (Case No. 07-295-AA) states that the "...approval of permits for demolition of the Houses and construction of the Project, as well as the Revised Site Plan shall terminate three years after the effective date of the Revised Site Plan." The City of Ann Arbor provided us with a copy of the Glen Ann Place PUD Site Plan bearing the File Number 9282J12.05 and an Approval Date of November 30, 2007. A CD containing a copy of that PUD Site Plan is included with this communication, and we have relied on this document as the basis for the date on which the Consent Judgment approvals will terminate: November 30, 2010.

We also observe that permits were secured for demolition of all structures on the PUD site, and the demolition of all above-grade structures has been completed. Following demolition, the site was graded and a fence was put in place.

Recently, the City Attorney's Office noted to us that currently the Glen Ann Place PUD site may be out of conformity with established standards for vacant sites.

Ownership would appreciate the opportunity to discuss the specifics of the requirements, starting with a reference to applicable codes and ordinances. Ownership is prepared to design a program to address these issues.

The Glen Ann Place project cannot proceed on its projected schedule because of economic conditions affecting demand for residential and commercial space and trauma and turmoil in the financial markets. However, ownership of the Glen Ann Place property wants to pursue an extension of the time to start the project because it believes that positive changes in market demand and access to financing will occur in the reasonable future. The optimal extension period would be for five (5) years to November 30, 2015. This request is limited to an extension of the deadline to start the project – all other conditions, requirements, opportunities and flexibility currently included in the Glen Ann Place PUD can be left intact and unmodified.

We are prepared to discuss the next steps in the process immediately, so please contact me with any initial reactions to this communication. My contact information is set forth below, and I look forward to opening discussions with you in the near future.

Very truly yours,

JOSEPH FREED AND ASSOCIATES LLC



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