

BERRY REYNOLDS & ROGOWSKI, PC

ATTORNEYS AND COUNSELORS

33493 W. 14 MILE ROAD, SUITE 100
FARMINGTON HILLS, MI 48331-1587
Telephone (248) 851-3434
Facsimile (248) 851-4743

www.brllawyers.com

Ronald E. Reynolds
Joseph M. Rogowski, II
David H. Oermann
Susan K. Friedlaender, *Of Counsel*

David W. Berry (1948-2008)

October 13, 2009

Via Certified U.S. Mail

The Clerk of the City of Ann Arbor
City Clerk Jacqueline Beaudry
City Hall, 2nd Floor
100 N. Fifth Ave.
Ann Arbor, MI 48104

2009 OCT 21 AM 10:24
CITY OF ANN ARBOR
CITY CLERK
RECEIVED

RE: REQUEST FOR AN INDIVIDUAL HEARING ON THE REZONING OF 1320 SOUTH UNIVERSITY

TO: THE CLERK OF THE CITY OF ANN ARBOR

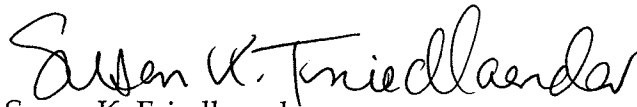
Under MCL 125.3401, the "legislative body shall grant a hearing on a proposed ordinance provision to an interested party who requests a hearing by certified mail addressed to the clerk of the legislative body." The owners of 1320 South University ("Owners"), therefore, request that the City Council grant them a hearing on the ordinance proposed for the rezoning of 1320 South University currently scheduled for second reading on October 19, 2009. According to MCL 125.3401, the City must provide notice to the interested party requesting the hearing 15 days before the date of the hearing requested under this section of the Michigan Zoning Enabling Act, MCL 125.3401, *et seq.*

The Owners therefore further request that the City Council defer the rezoning of 1320 South University to give the Owners an opportunity to offer conditions on the rezoning of the Owners' land to D1. The Owners will propose conditions for the rezoning of the parcel to D1 on or before the date of the individual hearing that the City Council must hold under MCL 125.3401 to consider the rezoning of 1320 South University.

October 13, 2009

Page 2

Very truly yours,



Susan K. Friedlaender

Attorneys for the Owners of 1320 South University

SKF/tn

cc: Honorable Mayor John Hieftje, via e-mail
City Council Member Sabra Briere, via e-mail
City Council Member Sandi Smith, via e-mail
City Council Member Stephen Rapundalo, via e-mail
City Council Member Tony Derezinski, via e-mail
City Council Member Leigh Greden, via e-mail
City Council Member Christopher Taylor, via e-mail
City Council Member Marcia Higgins, via e-mail
City Council Member Margie Teall, via e-mail
City Council Member Mike Anglin, via e-mail
City Council Member Carsten Hohnke, via e-mail
Stephen K. Postema, City Attorney, via e-mail and U.S. mail