



**LAWRENCE KESTENBAUM  
COUNTY CLERK / REGISTER OF DEEDS**

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September 10, 2009

Jacqueline Beaudry, City Clerk  
City of Ann Arbor  
100 N. Fifth Ave.  
Ann Arbor, MI 48104

Dear Ms. Beaudry:

On August 19, 2009, the Ann Arbor City Council passed R-09-344 placing two charter amendment proposals on the November 3, 2009 election ballot. The ballot language was subsequently certified to my office prior to the August 25, 2009 deadline.

On September 8, 2009, the Ann Arbor City Council passed R-09-361 revising the ballot language for both charter amendment proposals.

After a thorough review of past court decisions in Michigan related to this issue, including those in *Marion v. Saline Township* (2006) and *Wagner V. Holmes* (1942), it is my conclusion that our office cannot accept the revised ballot language for placement on the November 3, 2009 election ballot. Instead, the original language included in R-09-344 passed by the City of Ann Arbor prior to the August 25, 2009 deadline will appear on the ballot.

Please feel free to contact my office should you have any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Lawrence Kestenbaum". The signature is written in a cursive style with a large initial "L".

Lawrence Kestenbaum  
Washtenaw County Clerk/Register of Deeds