

**STATE OF MICHIGAN  
WASHTENAW COUNTY TRIAL COURT**

ANNE BANNISTER, *et al*,

Plaintiffs,

Case No. 18-682-CZ  
Hon. David S. Swartz

v

CITY OF ANN ARBOR, *et al*,

Defendants.

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**STIPULATION FOR ENTRY OF ORDER GRANTING PERMANENT INJUNCTION**

The parties, by and through their respective counsel, stipulate as follows:

1. The First Amended Complaint in this action asked this Court to enjoin the Defendant from taking any action in furtherance of a purported contract (the “Contract”) between the Defendant and Core Spaces, LLC or Core Spaces Ann Arbor Fifth LLC with regard to certain development rights over the “Library Lot,” as that property has been described in said Complaint.

2. On November 6, 2018, voters in the City of Ann Arbor approved an amendment to the City Charter (“Proposal A”) that requires that, among other things, the Library Lot remain in City ownership in perpetuity.

3. On December 31, 2018, Ann Arbor City Administrator Howard Lazarus sent a letter to the buyer under the Contract stating that he was invoking its Section 18 to terminate the Contract and that the City would not proceed with selling the development rights to the Library Lot pursuant to the Contract.

4. In particular, Mr. Lazarus' letter explains that Proposal A's passage and "related litigation are conditions that prevent or impair the closing of the Library Lot transaction and relieve the City of any obligation to close."

5. Since the Amended Complaint in this lawsuit does not allege the fact of the passage of Proposal A, because it was filed before the passage of Proposal A, the parties stipulate that those additional facts are part of the Amended Complaint.

6. Because the parties agree that Proposal A prevents the City of Ann Arbor from selling the development rights to the Library Lot pursuant to the Contract, they hereby stipulate to the entry of the attached order permanently enjoining the City of Ann Arbor from selling the development rights to the Library Lot pursuant to the Contract.

7. This stipulation is entered into to end the litigation given the agreed upon impact of Proposal A; no other issue is addressed by this Final Order.

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**ORDER GRANTING PERMANENT INJUNCTION**

At a session of said Court  
held in the City of Ann Arbor,  
County of Washtenaw, State of Michigan  
this \_\_\_\_ day of \_\_\_\_\_, 2019.

HON. DAVID S. SWARTZ  
Circuit Judge, presiding.

Based on the parties' Stipulation for Entry of Order Granting Permanent Injunction, and the Court being otherwise advised in the premises:

IT IS ORDERED that the Amended Complaint in this action is deemed further amended to put the facts of Proposal A's existence and passage before the Court.

IT IS HEREBY ORDERED that Defendant City of Ann Arbor is permanently enjoined from selling the development rights to the Library Lot, as described in the Amended Complaint,

pursuant to any purported contract between the City and Core Spaces, LLC or Core Spaces Ann Arbor Fifth LLC.

IT IS FINALLY Ordered that all claims in this lawsuit against Defendants City Clerk Jacqueline Beaudry and Mayor Christopher Taylor are dismissed with prejudice.

THIS IS THE FINAL ORDER THAT RESOLVES ALL CLAIMS AND CLOSES THE CASE.

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Hon. David S. Swartz  
Circuit Judge

Order Prepared By:

Approved as to Form and Content:

\_\_\_\_\_  
Thomas F. Wieder (P33228)  
Attorney for Plaintiffs

\_\_\_\_\_  
Stephen K. Postema (P38871)  
Attorney for Defendants

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_