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August 17, 2004

VIA HAND DELIVERY

Don Hadder
City of Scottsdale
7447 E. Indian School Road, Suite 105
Scottsdale, Arizona 85251

Re: DMB Stacked 40s (Case No. 20-ZN 2002); Proposed driveway locations on Scottsdale Road

Dear Don:

As you know, this firm represents DMB Stacked 40s LLC ("DMB"), relative to the development of property located on the east side of Scottsdale Road bounded by Thompson Peak Parkway to the north and Loop 101 to the south (the "Stacked 40s"). We are writing to memorialize our discussions relative to the location of proposed driveways into the Stacked 40s, along Scottsdale Road, north of Loop 101.

As you know, the graphics included with the development agreement dated November 19, 2002, governing development of the Stacked 40s (the "Development Agreement"), were conceptual in nature and all parties to the Development Agreement anticipated that more finite planning would occur as development plans continued to evolve. Following the approval of the rezoning and Development Agreement on November 19, 2004, DMB has continued to refine plans for the Stacked 40s, including the specific placement of site driveways along Scottsdale Road. The enclosed exhibit dated July 29, 2004, prepared by Wood/Patel, depicts the specific locations of Center Drive as well as the proposed driveway locations along Scottsdale Road.

It is our understanding that you will include this letter, including the attached exhibit, in the file for Case No. 20-ZN-2002. If you have any questions regarding the foregoing or the attached exhibit, please do not hesitate to call.

Sincerely,


Karrin Kunasek Taylor, Esq.

attachment

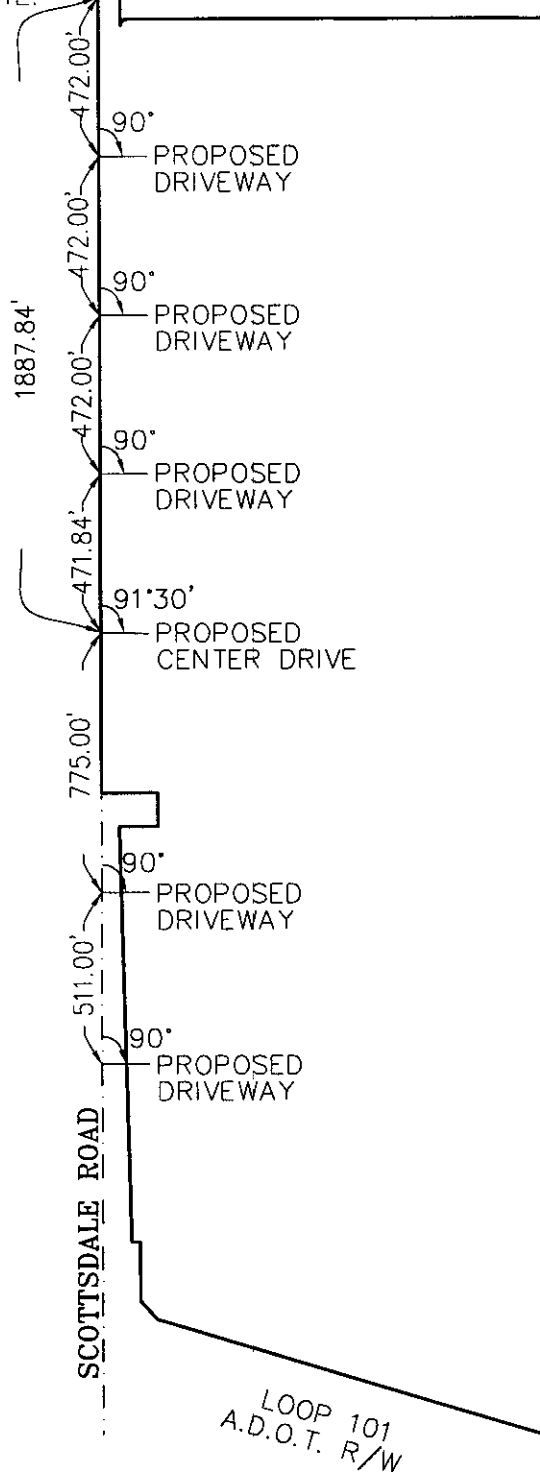
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cc: Eneas A. Kane, Esq., DMB Associates, Inc.
David Bruner, Circle Road Equities
Darrel Wood, Wood/Patel

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NW COR. SEC. 26,
T.4N., R.4E.

THOMPSON PEAK PARKWAY



EXHIBIT

STACKED 40'S
07-29-04
WP#042168
PAGE 1 OF 1
NOT TO SCALE

WOOD/PATEL

2051 West Northern
Phoenix, AZ 85021
Phone: (602) 335-8500
Fax: (602) 335-8580

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