



December 14, 2009

Sent via hand-delivery and via email to bcluff@ScottsdaleAZ.gov

**Bryan D. Cluff, LEED AP**

Planner

City of Scottsdale

Planning & Development Services

Phone: 480-312-2258

Fax: 480-312-7088

bcluff@ScottsdaleAZ.gov

Re: Prime Bar Scottsdale, LLC ("Prime Bar" Plan Ck. 3606-09)

Dear Mr. Cluff:

This letter memorializes Prime Bar's acknowledgement that the Use Permits for a bar and live entertainment (15-UP-2008#2 and 16-UP-2008#2) are pending City Council approval and that if the City Council does not approve the use permits for any reason, Prime Bar will not be able to operate as a bar or have any live entertainment.

We acknowledge that we are proceeding with the permitting and construction process at our own risk and will not hold the City of Scottsdale liable for any costs incurred if the Use Permits are not approved.

With this acknowledgement, please issue an "at risk" permit for construction immediately.

Thank you very much for your prompt attention to this matter.

Best regards,

A handwritten signature in black ink, consisting of a stylized 'R' followed by a horizontal line that extends to the right and then turns down into a vertical line.

Roger Greenfield  
Member