



BURCH & CRACCHIOLO

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December 12, 2011

Connie Padian, Scottsdale Planning Administrator  
CITY OF SCOTTSDALE  
7447 East Indian School Road  
Scottsdale AZ 85251

Dear Connie,

Because the "commercial uses" provision of the 1996 Development Agreement that is recorded at 19960580896 is contrary to the City Council's 2011 approvals of Ordinance No. 3974 and Resolution Nos. 8835 and 8850 for multi-family development of the approximately 6 acres site generally known as "The Residences at Zocallo Plaza", it is my understanding the City will not enforce the 1996 Development Agreement on the 6 acres site. Presuming you agree, please confirm by signing below.

Thank you.

Very truly yours,  
BURCH & CRACCHIOLO, P.A.

Edwin C. Bull  
For the Firm

ECB/meb

As Planning Administrator-City of Scottsdale, I agree with the above and acknowledge that the City will not enforce the 1996 Development Agreement against the approximately 6 acres.

Connie Padian  
Connie Padian, Planning Administrator

12/12/11  
Date

cc: Jeff Newburg  
John Berry



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