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ST. CROIX TITLE

August 5, 2014

Mr. Dean Zuleger
City Administrator
City of Lake Elmo
3800 Laverne Avenue North

Mr. Jack Griffin
FOCUS ENGINEERING, INC.
jack.griffin@focusengineeringinc.com

Ms. David Snyder
Attorney at Law
56 East Broadway Avenue
#206
Forest Lake, MN 55025

Re: Amendment to 39th Street Improvement Petition and Waiver Agreements

Gentlemen:

Attached hereto please find a fully executed Amendment to Petition and Waiver Agreements that have been signed by Lake Elmo Professional Center, LLP.

This document has been amended pursuant to my conversation with Mr. Zuleger. Mr. Zuleger indicated that the City would be willing to amend the project documents to preserve the large trees along the boulevard in front of our building. While we hope nothing will happen to those trees during construction, we are aware that things can and do happen and, therefore, have added that in the event the trees do not survive the construction, that the trees will be replaced with comparable trees at the City's expense.

If there are any questions, concerns or other proposed changes to this Agreement, please let me know. I spoke with Mr. Zuleger about having an extended period of time in which to hook up to the sewer system, since our building has a somewhat newer septic system and is not in need of sewer at this time. I would appreciate the continued consideration in this matter. As you are aware, our Partnership does not have growth potential and so it's incentive may not be as aligned with the City and other landowners, but in the interest of the City and our neighbors, we have agreed to sign the Amendment with the noted change.

Mr. Dean Zuleger, Mr. David Snyder and
Mr. Jack Griffin
August 5, 2014
Page Two.

If you have any further questions or concerns, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tracey A. Galowitz". The signature is fluid and stylized, with a large initial 'T' and a long, sweeping underline.

Tracey A. Galowitz

TAG:mas

Enclosures