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# MEMO

## Legal Department

**To:** Mayor Campbell and Members of the City Council

**From:** Judy K. Parks, City Attorney *[Signature]*

**Date:** June 20, 2014

**Subject:** Request for Continuance of Rezoning hearings on 601 State and 205 South Wilmoth

The City has received the attached request from Breckenridge Group LLC for continuation of the hearings on the rezoning requests it has made for 601 State Street and 205 South Wilmoth. As you are aware, litigation related to this development is pending as are negotiations to attempt to resolve same. Because action on either of these pending applications could pose obstacles and/or result in unnecessary work regarding some of the options for resolution of the litigation, Breckenridge has requested that these hearings be continued.

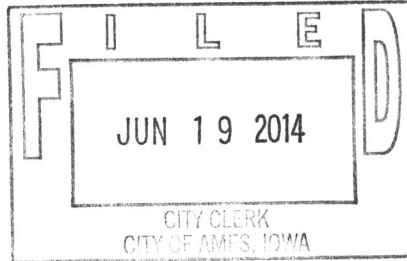
It is appropriate and recommended that this request be granted for both properties, and that these items be postponed to a later meeting without opening the hearing or taking of testimony. The hearings and the opportunity for public input would be given at a date to be later determined, but which will be preceded by proper public notice. Moving to table them would be the recommended action.



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Ames Office

June 19, 2014

Judy Parks, City Attorney  
City of Ames, Iowa  
515 Clark Ave.  
Ames, IA 50010



Re: Breckenridge Group Ames Iowa, LLC ("Breckenridge")

Judy:

Thank you for your letter of June 18, 2014 (the "Letter") wherein you represent to Breckenridge, in response to the anticipated request by Breckenridge to postpone the public hearings with respect to Breckenridge's pending rezoning applications (collectively, the "Applications"), that no public input or action will be taken by the Ames City Council related to the Applications at the June 24, 2014 meeting. Accordingly, in reliance on the representations made in the Letter, Breckenridge hereby requests the postponement of the public hearings related to the Applications.

Very truly yours,

DAVIS, BROWN, KOEHN, SHORS & ROBERTS, P.C.

Brian D. Torresi

Cc: Charlie Vatterott

DAVIS BROWN KOEHN SHORS & ROBERTS P.C.