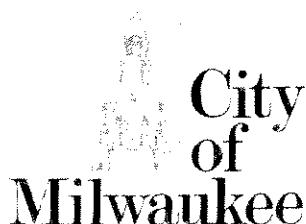


FN 051272 and
051275



Department of City Development

Housing Authority
Redevelopment Authority
City Plan Commission
Historic Preservation Commission
NIDC

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

September 21, 2006

Alderman Michael S. D'Amato
Chair, Zoning and Neighborhood Development Committee
Alderman, Third District
City Hall
200 E. Wells Street Room 200
Milwaukee, Wisconsin 53202

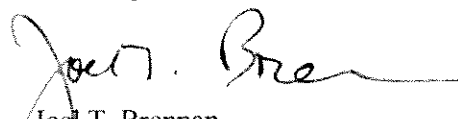
Dear Alderman D'Amato,

This will confirm that Section 5 (f) of the proposed Development Agreement between the Redevelopment Authority and Legacy Development Partners, LLC requires that all property conveyed by RACM to Legacy will carry with it restrictions limiting each lot in the subdivision, along with each townhouse unit, to owner-occupancy. The restriction will be enforced through a deed restriction and through Homeowner's and Condominium Association bylaws. I am attaching a copy of Section 5 (f) of the Development Agreement.

Also, note that the RACM/City Cooperation Agreement will provide that RACM's Shared Earnings will return to the City, as required by Legislative File Number 030096 (version 2.)

Please contact James Sayers, Development Manager, if you have any questions or require additional information. Mr. Sayers may be reached at X5723.

Sincerely,



Joel T. Brennan
Assistant Executive Director
Redevelopment Authority

c: Craig Kammholz, Office of the Comptroller
Kevin Sullivan, Assistant City Attorney
file
attachment

(f) **Subdivision and Homeowner Regulations and Restrictions.** LEGACY shall prepare and, on or before sale of any lot, and also on or before the sale of any unit in the Townhouses if the Townhouses will not be under the condominium form of ownership, submit to the Commissioner for approval, prior to recording in the Milwaukee County Register of Deeds Office against the Property, Subdivision and Homeowner Regulations and Restrictions, Said document, once recorded, shall constitute restrictive covenants against the Property, and shall: not conflict with the Redevelopment Plan (as amended); restrict each lot in the subdivision (and as applicable, each unit in the Townhouses) to owner-occupied residential housing; restrict and limit certain exterior building materials for houses in the subdivision (and, as applicable for the Townhouses); identify authorized and prohibited site improvements; specify minimum square-footage requirements for homes to be built on the lots; provide for the creation and governance of a homeowner's association that shall be responsible for care and maintenance of any required storm water management systems and of any common green space at the Property (the association (not the City and not RACM) shall be responsible for care and maintenance of all green space within any public right-of-way at the Property); specify how to enforce covenants; and be flexible enough to allow for reasonable diversity of housing designs, styles, and site plans.