

RICK TELEGAN
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Re: Site Plan Review Committee Meeting,
January 31, 2019 @ 1:30 pm

On behalf of BP Investors, LLC, Leeco, LLC, and Exposition Properties, LLC, this letter represents our formal objection to Bright Development's request to the City of Merced for an extension of time to VTSM # 1291 and the associated Conditions of Approval, as modified on October 3, 2018.

The Conditions of Approval (Planning Commission Resolution # 2904), as modified, violates the terms of the **ABSOLUTE-BRIGHT PRE-ANNEXATION DEVELOPMENT AGREEMENT** executed by the City of Merced, Bright Development, BP Investors, LLC, Leeco, LLC and Absolute, LLC (Exposition Properties, LLC's predecessor by assignment), and re-recorded March 20, 2008. Specifically those conditions that violate the recorded agreement are : # 12, # 13, # 22, # 33, # 34, # 36, # 41, # 42 & # 43.

The request by Bright Development must either be denied, or continued until such time when the City of Merced can change the Conditions of Approval (Resolution # 2904) to comply with the terms of the previously recorded **ABSOLUTE-BRIGHT PRE-ANNEXATION DEVELOPMENT AGREEMENT**.

Date : January 30, 2019



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