

# O'Brien Land Company, LLC

June 15, 2018

Mayor Don Tatzin/City Council  
City of Lafayette  
c/o Niroop Srivatsa  
Planning and Building Director  
3675 Mt. Diablo Blvd. #210  
Lafayette, CA 94549



Re: Notice of Termination/Terraces Project Alternative Process Agreement

Dear Mayor Tatzin and City Council:

Please reference the Terraces Project Alternative Process Agreement, as amended ("Process Agreement") between the City of Lafayette ("City"), Anna Maria Dettmer/Trustee of the AMD Family Trust ("Dettmer"), and O'Brien Land Company ("O'Brien").

Pursuant to Section 2, Section 3.5 and related sections of the Process Agreement, Dettmer and O'Brien herein submit this Notice of Termination of the Process Agreement. Concurrently, pursuant to the Process Agreement, Dettmer and O'Brien withdraw the applicable Project Alternative Applications.


This Notice of Termination and withdrawal of the applicable Project Alternative Applications is made with reference to Section 3.5.5 of the Process Agreement, as amended, which states:

If the City Council does not approve the Project Alternative, or in the event that an appeal, challenge or referendum has not been resolved in a manner acceptable to Applicant in Applicant's sole and absolute discretion, Applicant shall have the right to terminate this Agreement in accordance with Section 2, above, and City's processing of the Apartment Project Application shall immediately resume with Applicant and City situated as they were (with all of their respective rights, causes of action, and defenses related to the Apartment Project Application intact, in accordance with Section 2, above) prior to the suspension of processing of the Apartment Project Application pursuant to Section 3.5 above.

Pursuant to the terms of the Process Agreement, we request the City to immediately resume processing of the Apartment Project and all of its applications.

Very truly yours,

O'Brien Land Company  
A California Limited Liability Company

By: 

Dennis O'Brien

Anna Maria Dettmer, as Trustee of the  
AMD Family Trust, as amended and  
restated on September 23, 2005

By: 

Anna Maria Dettmer, Trustee

c: Steve Falk, City Manager  
Mala Subramanian, City Attorney