

MONZACK MERSKY McLAUGHLIN AND BROWDER, P.A.
ATTORNEYS AT LAW
1201 NORTH ORANGE STREET
SUITE 400
WILMINGTON, DE 19801-1155

(302) 656-8162
FACSIMILE: (302) 656-2769

WWW.MONLAW.COM

MELVYN I. MONZACK
RACHEL B. MERSKY
BRIAN J. McLAUGHLIN
MARY ELIZABETH M. BROWDER
MICHAEL C. HOCHMAN

May 9, 2008

VIA OVERNIGHT MAIL (FedEX)

New Castle County Department of Land Use
87 Reads Way
New Castle Corporate Commons
New Castle, Delaware 19720

Re: Amendment to Brandywine Town Center Declaration of Restrictions

To the Department of Land Use:

This firm represents the current owners of the Brandywine Town Center Shopping Mall ("BTC"), located in New Castle County, Delaware. Consistent with Section 31.130 of the New Castle County Unified Development Code ("UDC"), please accept this letter with enclosures as our client's formal application for amendment to the BTC's Declaration of Restrictions.

As Section 40.31.130 requires, we have enclosed a copy of the existing recorded Declaration of Restrictions, the proposed amended Declaration of Restrictions with signatures, and draft resolution (including an electronic copy) for New Castle County Council's consideration. We are requesting this amendment in effort to more efficiently utilize the existing structures and to better develop an underutilized area of the property.

In addition, the proposed amendment will eliminate the Gross Leasable Area ("GLA") concept, which New Castle County no longer uses, in order to bring the Declaration of Restrictions current with the existing UDC.

The amendment removes GLA references with respect to all areas presently constructed, and deletion of GLA reference shall affect only existing structures on the property and shall not permit additional construction except as otherwise specifically provided with respect to the proposed 45,000 square foot building.

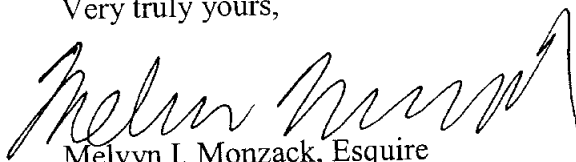
We also have enclosed the requisite \$3,000.00 filing fee made payable to New Castle County. We would greatly appreciate the Department of Land Use's consideration of this

MONZACK MERSKY McLAUGHLIN AND BROWDER
PROFESSIONAL ASSOCIATION

New Castle County Department of Land Use
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application at its earliest convenience. If you require any additional information, or we may be of any further assistance at this time, please contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read "Melvyn I. Monzack". The signature is fluid and cursive, with a prominent upward stroke at the end.

Melvyn I. Monzack, Esquire
For Monzack Mersky McLaughlin and Browder, P.A.

Enclosures
MCH:jrt

Cc: The Honorable Paul G. Clark, President of New Castle County Council
The Honorable Robert S. Weiner, Esquire,
New Castle County Councilman – Second District
Betsy Gardner, Clerk of New Castle County Council