

**WOODOC INVESTMENTS, L.L.C.**

**P.O. Box 442109  
Lawrence, Kansas 66044**

April 21, 2009

**Via Hand-Delivery**

Mr. Scott McCullough  
Planning Director  
City of Lawrence  
City Hall  
Six East Sixth Street  
Lawrence, Kansas 66044

*Re: Rezoning (Z-2-2-09) of 1725 New Hampshire Street*

Dear Scott:

I am the Managing Member of Woodoc Investments, L.L.C., the owner of property located at 1725 New Hampshire Street, Lawrence, Kansas. I am writing on behalf of the property owner to request a deferral of the second reading of the ordinance to rezone this property. The City Commission agenda item reads as follows:

Consider second and final reading of Ordinance No. 8387 for the  
Rezoning (Z-2-2-09) of 1725 New Hampshire Street from RM24  
(Multi-Dwelling Residential) to CS (Commercial Strip).

Although this rezoning item was approved by the City Commission on April 14 of this past week, our contract to sell this property to Dillon Companies, Inc., as buyer, was set to expire on April 16. Unfortunately, due to current economic conditions, Dillons did not receive project funding approval prior to the April 16 contract deadline. We have been informed that Dillons is still interested in purchasing our property in connection with plans to remodel and expand the adjacent grocery store. Although the parties agreed to terminate the contract on April 16, we are continuing to negotiate a new contract as we speak to allow Dillons additional time (approx. 4-5 more months) to secure their project funding.

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Under the circumstances (i) the landowner does not want the zoning to become final, unless Dillons commits to close on the purchase of the property, and (ii) Dillons does not want to start over with a new zoning request with the City, if they can close on the purchase of the property later this year. With the City's cooperation, we are requesting that the City defer the second reading of the ordinance to rezone this property until such time as Dillon's commits to close on the purchase of the property, or September 15, 2009, whichever is sooner.

If, for any reason, Dillons is not in a position to close on the purchase of the property by such deadline, then it is the intention of the landowner and Dillons that the zoning request be terminated at that time, and the zoning ordinance not be allowed to become final. It is our understanding that the proposed zoning will not become effective unless and until the second reading of the ordinance is approved, and publication of the zoning ordinance occurs, as set forth by Kansas statute, KSA 12-757(d). We also appreciate that this is an unusual request but, given the current state of the economy, and Dillons continued interest in remodeling and expanding the adjacent grocery store, we ask the City Commission to please consider and grant our request.

If you have any questions, wish to discuss this matter in more detail, or require any additional information, please let me know. On behalf of the landowner and Dillons, we thank you for your consideration of our request.

Very truly yours,



Robert J. Farha,  
Managing Member,  
Woodoc Investments, L.L.C.

cc: Jeffrey W. Hatfield  
Clay Brasher  
Wally Storey  
Mark A. Andersen