



June 24, 2019

Via Email Correspondence to swoolf@cityofpensacola.com

Susan Woolf, City Attorney
City of Pensacola
222 West Main St.
Pensacola, FL 32502

Re: Hawkshaw Development Group / Hawkshaw Project
Our File No. RE-17-1279

Dear Ms. Woolf:

As you know, we represent Hawkshaw Development Group, LLC (the “Developer”). I understand the CRA approved an extension of the commencement date of the project until September 30, 2019. A Second Amendment to the Declaration of Covenants, Conditions, and Restrictions pertaining to this change is currently being circulated for execution.

The purpose of this letter is to:

- (a) request the CRA approve the terms of the attached proposed Third Amendment to the Declaration of Covenants, Conditions and Restrictions (the “Third Amendment”); and
- (b) request consent to certain modifications to (i) the design of the project; and (ii) the design team as was discussed at the June 10 meeting.

Third Amendment

The Third Amendment reflects the changes to the project discussed at the June 10, 2019, meeting of the CRA. In summary, it essentially makes what was previously a phased project into a project without phases where all elements of the project are commenced and finished within a period of 24 months. The Amendment also includes revisions to the number of residential units, decreasing them in Phase I but increasing the number as part of the overall project to 58.

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Request of Consent for Changes to the Contract

Section 8 of the Purchase and Sale Agreement (the "Contract") indicates specifics of the development team of the project. While the current members of the development team may continue to be used in some capacity, other team members are being added. Specifically, SMP Architecture will be the architect of record and Whitesell-Green, Inc. will be the general contractor of at least some of the elements of the project. The contract provides that any changes to the team must be consented to with such consent to not be unreasonably withheld, conditioned or delayed. This letter shall serve as notice of a requested change under Section 8 of the Contract.

Section 9 of the Contract describes the project to be constructed. The elements of the project are also set forth in the proposed Third Amendment. Pursuant to Section 9, Developer requests the CRA's consent to the design modifications as set forth in the Third Amendment and as discussed at the June 10 CRA meeting.

Section 10 of the Contract details project "milestones." These milestones are simplified in the Third Amendment since the project will no longer be phased. Consent is requested for the modification of the Contract provisions in Section 10 consistent with the Third Amendment.

Thank you for your time and attention in attending to this matter. We are excited about the track this project is on and looking forward to groundbreaking in the months to follow.

If you have any questions or need anything further, please do not hesitate to contact me.

Sincerely,



Stephen R. Moorhead

cc: Hawkshaw Development Group, LLC
SRM/arb
enclosures