

718 SUSSEX, LLC
151 Cheswold Valley Rd.
Haverford, PA 19041

April 12, 2017

Mr. Bob Duncan
Director of Building and Planning
Lower Merion Township
75 E. Lancaster Avenue
Ardmore, PA 19003

Re: Permit Extension Request

Dear Mr. Duncan,

718 Sussex, LLC ("Sussex") and Knox Real Estate Group LLC ("Knox") hereby jointly request the extension of any and all Lower Merion Township ("Township") licenses, permits and approvals (including, without limitation, building, construction, zoning and subdivision/land development plan approvals) (collectively, "Approvals") heretofore granted/issued by the Township to Sussex in connection with the proposed development of the Charles C. Knox Home property at 718 Sussex Road, Wynnewood, Pennsylvania (the "Property"), for a period one year from the date of expiry.

Sussex is currently the owner of the Approvals. Knox is the owner of the Property.

In support of the extension, we refer to Section 135-13.B.1 of the Township's Subdivision and Land Development Code:

SECT. 135-13.B.1

The final plan, complying with all applicable requirements, shall be filed with the Director of Planning for a final approval within 12 months from the date of the approval of the preliminary plan. Failure to comply with the time limitation herein provided shall make the approval of the preliminary sketch plan null and void unless an extension of time is granted in accordance with this section. The twelve-month period may be extended by the Board of Commissioners upon application by the applicant, filed in writing, within said twelve-month period upon demonstration of the following:

[Amended 5-15-1985 by Ord. No. 2071; 6-19-1991 by Ord. No. 3243]

(a) That one or more conditions existent at the time of preliminary plan approval have changed.

{00758847;2}

(b) That such change of circumstances was beyond the applicant's control and has prevented submission of the final plan within the twelve-month period.

(c) That such circumstances have been overcome or will be overcome in the foreseeable future.

Extension of the Approvals is clearly appropriate here, as:

(i) It is widely known that Sussex was unable to purchase the Property and renovate the existing buildings and build the new construction. The inability of Sussex to purchase the Property last fall was for reasons beyond its reasonable control, despite having required contracts in place to do so. Such reasons ultimately became the subject of litigation (which has since been settled).

(ii) As a result of Sussex being prevented from proceeding with the transaction, the then-owners of the Property put the Property back on the market and Knox signed an agreement of sale and ultimately settled on the Property.

(iii) As new owner of the Property, Knox wishes to acquire the Approvals from Sussex in order to develop the Property as previously proposed by Sussex, and Sussex has agreed to convey the Approvals to Sussex. In furtherance of the foregoing, the parties have entered into a Purchase Agreement with respect to the transfer of the Approvals to Knox.

(iv) Extension of the Approvals will allow for the timely development of the Property for a highly desirable active use, which was previously reviewed thoroughly by the Township and approved.

Accordingly, the undersigned jointly request a one year extension of the Approvals and appreciate your consideration.

Very truly yours,

 4/13/17

Evlyn (Mac) Brand
Member
718 Sussex, LLC

 4/13/17

Stephen Metzman
Member
Knox Real Estate Group LLC