



April 14, 2016

VIA EMAIL AND U.S. MAIL

Mr. Steven Robertson, Senior Planner
City of Duluth – Planning Division
411 West 1st Street, Room 208
Duluth, MN 55802

**Re: NorShor Theatre Project
Duluth, MN**

Dear Mr. Robertson:

I am writing regarding the proposed vacation proceeding for the bus shelter that is attached to the NorShor Theatre building. As you are aware, we are working toward a closing at or near the end of April on financing for the rehabilitation of the historic theater. The bus shelter structure is going to be integrated into and become part of the NorShor Theatre Project.

In order to obtain financing for the theater rehabilitation, NorShor Theatre LLC (the "Developer") needs to have fee title to the theater property, including the bus shelter and the property upon which it is located. All lenders require mortgages filed against the entire theater property and they require title insurance covering those mortgages. The Project's title insurance company cannot and will not insure title to the theater property unless the entire building, including the bus shelter and the property under it, is held in fee title by the Developer. The Concurrent Use Permit issued previously simply does not work with the Project's financing structure.

I am hopeful this information is helpful. Please contact me with any further questions or concerns. My phone is 612-332-3000 and my email is sfauver@sherman-associates.com. Thank you.

Sincerely,

SHERMAN ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "Susan S. Fauver", written over a light blue horizontal line.

Susan S. Fauver
General Counsel

