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July 15, 2022

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Via Hand Delivery

Mr. Ian B. Johnson
City Clerk, City of Duluth
City Hall, Room 318
411 W. First Street
Duluth, MN 55802

Re: North Creek Investors II, LLC / Bullseye Building / Duluth HPC July 11th Decision
Our File: 28005.008

Dear Clerk:

At a duly scheduled meeting on July 11, 2022, the City of Duluth Historic Preservation Commission denied the petition and request of North Creek Investors II, LLC and ZAC NC Asset Investors, LLC the owners of the Bullseye Building, to demolish the building which is located on exhibit a hereto. It is the property owners' view that the Historic Preservation Commission:

1. Ignored the actual circumstances and history in reaching this decision, which is based upon recent, post-acquisition revisions in the applicable law.
2. Failed to take into account the evidence that was presented to it in terms of:
 - The cost to renovate the building.
 - The lack of feasibility in any renovation.
 - The fact that the 40% combined State and Federal Rehabilitation Credit has now been reduced to a total of 20% (the State rights having expired).
3. There is undue and unfair hardship to the property owners to not be able to demolish the building and prepare it for another use since the restrictions that require a procedure to obtain a demolition permit were not in existence when the property owners acquired the property.

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4. There are also issues regarding the health and safety of the public as relates to this facility.
5. The Council is requested to review this matter and reverse the finding of the Historic Preservation Commission.

The fee in the amount of \$407.00 made payable to the City Clerk is enclosed.

North Creek Investors II, LLC and
ZAC NS Asset Investors, LLC



By: William M. Burns
Its: Attorney

WMB/tec
Enclosures