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June 10, 2013

Mr. Tim Acklin, Senior Planner
City of LaCrosse
400 LaCrosse Street
LaCrosse, Wisconsin 54601

Re: Bethany Lutheran Homes, Inc./Gundersen Lutheran Medical Center

Dear Mr. Acklin:

I am writing to ask that you include the enclosed proposed agreement with the Petition for Rezoning submitted by Bethany Lutheran Homes, Inc., and Gundersen Lutheran Medical Center, Inc., on Friday, June 7, 2013.

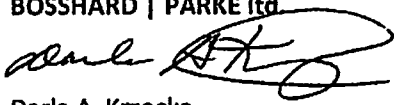
As background information for you, there were two minor title matters that were raised by the title company as a part of the financing process for Eagle Crest-LaCrosse. First, there is an old restrictive covenant in place that limits the use of the property to daycare centers or hospital/clinics. We would ask the City to expand that proposed use to include the senior residential facility that we are planning, which is also the subject of the zoning petition. Second, I have had extensive discussions with Gundersen and the City Attorney's office about whether the piece of land to be used for Eagle Crest was included in the Development Agreement between Gundersen and the City ("the Development Agreement"). Everyone seems to agree that this piece of land was not included in the Development Agreement. However, the title company is insisting on a removal document for the Eagle Crest parcel and therefore it is something that I will need from the City in order for this project to proceed.

Therefore, I have drafted the enclosed proposed removal document, which 1) removes the Eagle Crest parcel from the Development Agreement, and 2) amends the restrictive covenant "purpose" language. I am sending the proposed document, the restrictive covenant and the Development Agreement as an enclosure to you. I have already submitted this to the City Attorney and Mayor's offices for their review.

We ask that you please send this proposed amendment through for approval with the petition for rezoning. Thank you so much.

Sincerely yours,

BOSSHARD | PARKE Itc.


Darla A. Krzoska

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DAK/sgb

Cc: Stephen Matty, City Attorney, w/o encl.

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