

DENTONS

Ivor E. Samson
Partner

ivor.samson@dentons.com
D +1 415 882 2491

Safans FMC SNR Denton
dentons.com

Dentons US LLP
525 Market Street
26th Floor
San Francisco, CA 94105-2708 USA

T +1 415 882 5000
F +1 415 882 0300

August 28, 2013

VIA FEDERAL EXPRESS

Marilyn R.F. Pongeggi, Principal Planner
City of Chula Vista
Planning Department
276 Fourth Avenue
Chula Vista, CA 91910

Re: Sears Store, 565 Broadway, Chula Vista, California

Dear Ms. Pongeggi:

I am writing in response to your August 14, 2013 letter, wherein you clarify that the City of Chula Vista ("the City") has taken no action to designate the Sears store at 565 Broadway, Chula Vista ("the Sears store") as a historic resource and that the Sears store was merely identified as being "eligible" under CVMC 21.03.044, following a Historical Resources Survey.

Although you stated in your letter that there is no mechanism for review of a property that has only been identified as "eligible", the City has offered to accommodate Sears' request to present its expert's report as to why that identification is not appropriate.

Although our originally scheduled August 21, 2013 meeting was cancelled by the City, I thank you for the City's willingness to move forward with this process and resolve these issues on the merits. I request that the meeting between the City and Sears be put back on calendar, at which time Sears will present its expert's findings. To that end, please find enclosed a check for \$7,500.00 (seven thousand, five hundred dollars). It is expressly understood that the check is not payment of an appeal fee as this process is not an appeal because - as you stated in your letter - there is no formal process to appeal mere "eligibility." Rather the enclosed check is an accommodation to the City from Sears to defray the City's expert costs.

Please provide us with some proposed dates on which the City can meet with Sears. I look forward to the meeting and thank you for your attention to this matter.

Very truly yours,

DENTONS US LLP



Ivor E. Samson

DENTONS

525 MARKET STREET, SAN FRANCISCO, CA 94105

CHECK NO.: 432438

REF. #	INV. #	DATE	INVOICE AMOUNT	INVOICE DESCRIPTION	AMOUNT PAID
10765017	130827	08-27-13	7,500.00	REE TO THE CITY OF CHULA	7,500.00
TOTAL AMOUNT PAID					7,500.00

THIS MULTITONE AREA OF THE DOCUMENT CHANGES COLOR GRADUALLY AND EVENLY FROM DARK TO LIGHT WITH DARKER AREAS BOTH TOP AND BOTTOM

DENTONS

525 MARKET STREET, 26th FLOOR
SAN FRANCISCO, CALIFORNIA 94105

Citibank Delaware 62-20

311

CHECK NO. 432438

CHECK DATE
09/01/13

CITIBANK DELAWARE
A subsidiary of Citicorp
ONE PENN'S WAY
NEW CASTLE, DE 19720

CHECK AMOUNT

\$*****7,500.00

SEVEN THOUSAND FIVE HUNDRED AND 00/100 Dollars

PAY
TO THE
ORDER OF

CITY OF CHULA VISTA
276 FOURTH AVENUE
CHULA VISTA, CA 91910

TWO SIGNATURES REQUIRED IF AMOUNT EXCEEDS \$2,500

⑈432438⑈

⑈031100209⑈

38857878⑈