

February 17, 2004

**E-MAIL**

Mr. William Heniff  
Village of Lombard  
255 East Wilson Avenue  
Lombard, IL 60148

Re: Fairfield Glen

Dear Bill:

I enclose herewith a proposed First Amendment to the Annexation Agreement for Fairfield Glen, which adds two new paragraphs.

The first paragraph, which is being added at the request of the owner, is substantially that which I requested in my letter to Tom Bayer of January 13, 2004 containing only the changes which were suggested by both Tom and yourself.

The second paragraph contemplates that there may very well be a transfer by the Developer prior to its undertaking any development responsibilities to a different development entity, which will assume all of the obligations of Developer including the posting of any security required in conjunction with the development.

If the foregoing is acceptable, I would appreciate your arranging to have the proper publication made so that the matter can be presented to the Board of Trustees. Once the Village is prepared to countersign both the Annexation Agreement and the First Amendment to Annexation Agreement, I do not believe there are any further problems in having either the titleholders or the Developer execute the Agreement and the First Amendment.

If you have any questions, please call me. Thank you.

Very truly yours,

ASH, ANOS, FREEDMAN & LOGAN, L.L.C.

BY: Lawrence M. Freedman

LMF:hkf  
Enclosure

cc: Mr. Scott Pointner  
Mr. Mark Janeck  
Mr. Thomas P. Bayer