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November 21, 2008

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**Re: Appeal of Denial of Petition for Major Amendment to a
Planned Residential Development: File No. 08PD052**

*Attorneys also admitted in
Nebraska, North Dakota,
Iowa, Minnesota and Missouri*

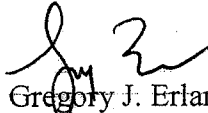
Greetings:

I write to request the appeal be dismissed, without prejudice, so that we may re-file with more accurate survey information. I assume we will not have to be present at the City Counsel meeting December 1, 2008. Please advise if you need additional information or if my understanding is incorrect.

Thank you.

Sincerely,

BANGS, McCULLEN, BUTLER,
FOYE & SIMMONS, L.L.P.


Gregory J. Erlandson

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Management Department