



CITY OF ANN ARBOR, MICHIGAN

301 E. Huron St., P.O. Box 8647 • Ann Arbor, Michigan 48107-8647

October 7, 2026

The Ark
Attn: Mariane James & Board of Directors
316 S. Main Street
Ann Arbor, MI 48104
Sent Via E-mail marianne@theark.org

Ms. James and Members of the Board of Directors,

We sincerely appreciate your continued engagement regarding the Kline's Lot redevelopment. I am writing to confirm that the City will honor the assurances previously made to The Ark. For clarity, this letter replaces the letter delivered on September 4. The City remains committed to maintaining The Ark's access, during construction of both phases of the project, to sidewalks, alleys, and utility service, subject only to temporary interruptions necessary for safety. The City is also committed to providing parking and loading accommodations for buses on Ashley Street during and after construction. The Ark will be directly involved in determining the location of those accommodations.

In addition, at closing Hines will dedicate to the City an east-west public access easement along the north side of the development site, an easement expanding the alley, and an easement for dumpsters. Once dedicated, the City will have authority over those easements, as well as the public alley, Ashley Street, public sidewalks, and other public rights-of-way and easements, and we will exercise our regulatory authority accordingly.

Specifically, the City will:

1. Enter this letter into our land management system so future permit reviewers are aware of these commitments and can conduct their reviews accordingly;
2. Not issue permits that contradict these commitments; and
3. Take appropriate enforcement action when activity occurs outside the scope of an issued permit.

In addition, the following language has been added to the Purchase Agreement:

Purchaser shall maintain access through and across the public alley and public access easements serving the Property during construction, including the east-



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west access easement, except where a temporary interruption is necessary for safety, provided a reasonable alternative means of access is available. Purchaser shall work with the City to eliminate or minimize the impact of any utility interruption on other users of those utilities. The terms of Section 1.7(c)(v) shall survive closing.

We hope enforcement of this provision is never necessary. If a breach does occur, however, the City will enforce the agreement accordingly.

This letter is intended to memorialize these commitments as part of the public record. We appreciate The Ark's continued engagement and look forward to working collaboratively with you as the project moves forward.

Sincerely,

Milton Dohoney Jr.

Milton Dohoney, Jr.
City Administrator
City of Ann Arbor

cc: City Council
Joseph Giant, Economic Development Director