



City of Ypsilanti

Fire Department

November 23, 2009

Stewart Beal
Beal Properties, LLC
221 Felch Street, Ste: 6
Ann Arbor, MI 48103

Dear Mr. Beal:

RE: 400 North River Street / Thompson Building

I am in receipt of your letter dated November 12, 2009, a copy of which is attached. Your letter is in response to my abatement Order dated November 9, 2009 indicating that to protect the peace, security, and safety of persons and property that (1) the structure be demolished consistent with all local codes (including but not limited to gaining Historic District approval), or (2) permanently stabilize and secure the premises from danger of collapse.

In your November 12 letter you indicate that you have complied with this, citing number 2 (that you have permanently stabilized the structure) as of October 30, 2009.

Upon my review of the premises there continues to be temporary scaffolding and supports on the exterior of the structure. It is my understanding that you were issued a temporary approval to occupy the roadway for these temporary supports and that approval is expiring shortly. Furthermore, such scaffolding is not a permanent stabilization and other corrective measures are needed.

Please note that this is an urgent matter pursuant to the proximity of the structure to a high pedestrian traffic area. In addition, the reverberations of the close-passing locomotives give me cause to be concerned for collapse of the building.

Your letter dated November 12, although pleasant in its terms, conveys to me that you will not be taking any further action to comply with my order.

I therefore find that you have failed to signify in writing your intention to comply with the order within the 10 days and will proceed accordingly.

Also, your letter does not mention any prohibition from undertaking work. I have however learned that someone has stated you were not able to undertake work due to the fire investigation. I have looked into that matter. At one time, a representative of the department orally requested to refrain from digging in a small section of the premises where accelerants were found. This area was not secured as a crime scene, no barriers such as crime scene tape have been installed at the location, nor were you sent any formal notice. The wording of my Abatement Notice (which was sent much later than the informal request was communicated) was clear and action needed to be accomplished to abate the hazards at that location. The letter contained no restrictions. You therefore remain under order to abate.

A handwritten signature in black ink, appearing to read "Jon Ichesco", with a long horizontal flourish extending to the right.

Jon Ichesco, Ypsilanti Fire Marshal

cc: City Attorney