

**Jon Ichesco and City of Ypsilanti v. Beal, Beal Properties, LLC and The  
Historic Equities Fund I, LLC, Case No. 20-372 CH**

**Consent Agreement**

The parties in this matter having entered into facilitation and having reached a settlement agree to this Consent Agreement (Agreement):

1. The property that is the subject of this Agreement is legally described on the attached Exhibit A, commonly known at the Thompson Block, 400 North River Street, Ypsilanti, Michigan. The Quit Claim Deed from Stewart Beal to Historic Equities, LLC shall be corrected and recorded within 14 days from the date of the Agreement.
  
2. Within 30 days of the date of this Agreement, Historic Equities Fund I, LLC (Historic Equities) will arrange for and complete the repair of the unsupported east end of the south wall of the building to the satisfaction of the building department.
  
3. Historic Equities shall pay the sum of \$4,000 to the City of Ypsilanti no later than 9/2/2011.
  
4. By 9/2/2011 and in accordance with the schedule attached as Exhibit B, Historic Equities will arrange for and complete the restoration of the East Cross and River Street facades of the building, and remove all exterior shoring from the adjacent Right of Way. The work will specifically include:

Masonry restoration, including brick removal and replacement and/or tuckpointing as may be most appropriate to any given situation, and brick cleaning as necessary to make the exterior walls structurally sound plumb and true

Steel lintel replacement

Temporary (plywood) door, window and storefront infills

Painting of all exposed masonry, steel, and wood surfaces to a uniform color.

Exterior shoring shall be removed

5. Within three years of the signing of this Agreement, the exterior envelope shall be completed.
6. Historic Equities shall complete and provide to the City any additional architectural and/or engineering documents required to complete the scope of work outlined in paragraphs 4 and 5.
7. Insurance. Within 10 days of the date of this agreement, Historic Equities shall, through its Contractor, obtain and maintain insurance on the building and the project in the amount of \$2 million protecting the City of Ypsilanti and furnish a copy of the policy to the City Clerk.
8. In the event of any dispute regarding the terms of this Agreement or compliance by either party to the Agreement, the parties agree to meet and facilitate with Hon. John C. Collins and Amanda Mercer prior to filing any action to enforce the Agreement.
9. The lawsuit captioned The Historic Equities Fund I, LLC v. City of Ypsilanti and McGrath, Washtenaw County Circuit Court file No. 10-485 AW, will be dismissed without prejudice.
10. Upon execution by all parties of this Agreement, a Conditional Dismissal shall be entered in the lawsuit captioned Jon Ichesco, and the City of Ypsilanti v. Stewart Beal, Beal Properties, LLC and The Historic Equities fund I, LLC, Washtenaw County Circuit Court

filed No. 10-372 CH. The lawsuit may be reinstated, upon motion of either party, after good faith efforts at facilitation, as provided in this Agreement, have been exhausted.

11. The Washtenaw County Circuit Court shall retain jurisdiction to enforce the terms of this Consent Agreement.

Michael V. Bodary  
Michael V. Bodary

~~AP~~  
Lois E. Richardson  
Trodly Swanson  
Mayor RoTem

Stewart W. Beal

Nora Lee Wright  
Attorney for Defendants

PAUL T. SCHREIBER, MAYOR

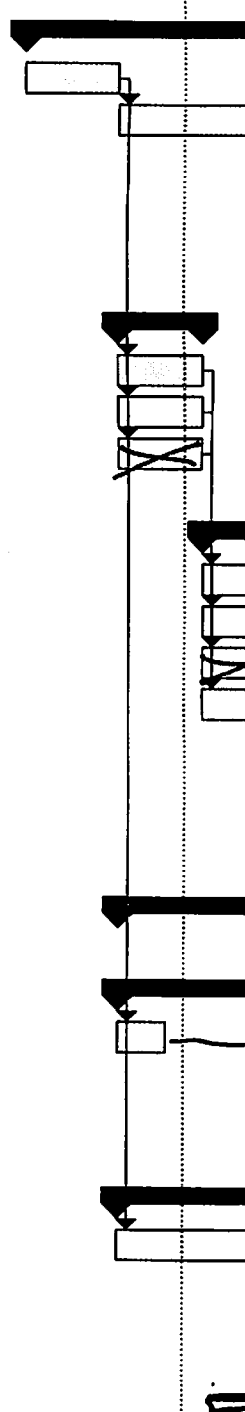
Paul J. Schreiber  
8-30-2010

William Nickel  
Wm Nickel  
Aug 30, 2010

Karl Barber

KARL BARBER  
Attorney for Plaintiff

ID	Task Name	Duration	Start	Finish	Qtr 3, 2010		
					Jul	Aug	S
1	<b>ADMINISTRATIVE TASKS</b>	223 days	Thu 07/22/10	Tue 03/01/11	[Gantt bar]		
2							
3	<b>Drawings and Permits</b>	223 days	Thu 07/22/10	Tue 03/01/11	[Gantt bar]		
4	Request / Receive Phase I Building Permit	23 days	Thu 07/22/10	Fri 08/13/10	[Gantt bar]		
5	Complete Phase II Construction Drawings	90 days	Sat 08/14/10	Thu 11/11/10	[Gantt bar]		
6	Submit Phase II CD's for Review	10 days	Fri 11/12/10	Sun 11/21/10	[Gantt bar]		
7	Complete Phase III Construction Drawings	90 days	Mon 11/22/10	Sat 02/19/11	[Gantt bar]		
8	Submit Phase III CD's for Review	10 days	Sun 02/20/11	Tue 03/01/11	[Gantt bar]		
9							
10	<b>Take Bids &amp; Issue Trade Contracts</b>	21 days	Sat 08/14/10	Fri 09/03/10	[Gantt bar]		
11	Demo, Masonry, Site, Carpentry	21 days	Sat 08/14/10	Fri 09/03/10	[Gantt bar]		
12	Concrete	21 days	Sat 08/14/10	Fri 09/03/10	[Gantt bar]		
13	Metal Fabrications	21 days	Sat <del>08/14/10</del> 11/21/10	Fri <del>09/03/10</del> 12/10/10	[Gantt bar]		
14							
15	<b>Produce / Approve Submittals</b>	21 days	Sat 09/04/10	Fri 09/24/10	[Gantt bar]		
16	Concrete	21 days	Sat 09/04/10	Fri 09/24/10	[Gantt bar]		
17	Building Masonry	21 days	Sat 09/04/10	Fri 09/24/10	[Gantt bar]		
18	Metal Fabrications	21 days	Sat <del>09/04/10</del> 12/11/10	Fri <del>09/24/10</del> 11/19/10	[Gantt bar]		
19	Rough Carpentry	14 days	Sat 09/04/10	Fri 09/17/10	[Gantt bar]		
20							
21	<b>Procure Long Lead Items</b>	21 days	Sat 09/25/10	Fri 10/15/10	[Gantt bar]		
22	Metal Fabrications	21 days	Sat <del>09/25/10</del> 11/5/10	Fri <del>10/15/10</del> 1/26/11	[Gantt bar]		
23							
24	<b>CONSTRUCTION TASKS (Phase I Only)</b>	385 days	Sat 08/14/10	Fri 09/02/11	[Gantt bar]		
25							
26	<b>Relocate Façade Stabilization System</b>	369 days	Sat 08/14/10	Wed 08/17/11	[Gantt bar]		
27	Relocate River Street Shoring	12 days	Sat 08/14/10	Wed 08/25/10	[Gantt bar]		
28	Remove shoring from Cross Street	14 days	Tue 04/12/11	Mon 04/25/11	[Gantt bar]		
29	Remove shoring from River Street ROW	14 days	Thu 08/04/11	Wed 08/17/11	[Gantt bar]		
30							
31	<b>Ongoing Façade Restoration Activities</b>	385 days	Sat 08/14/10	Fri 09/02/11	[Gantt bar]		
32	Demolition and Building Cleanout	49 days	Sat 08/14/10	Fri 10/01/10	[Gantt bar]		
33	Backfill and / or repair basements	42 days	Sat 10/02/10	Fri 11/12/10	[Gantt bar]		
34	Concrete foundation / slab work (Spring)	28 days	Tue 03/15/11	Mon 04/11/11	[Gantt bar]		
35	Install Steel as required (Spring)	28 days	Tue 03/15/11	Mon 04/11/11	[Gantt bar]		
36	Masonry Restoration (Fall) <i>SE corner on Cores</i>	56 days	Sat 09/25/10	Fri 11/19/10	[Gantt bar]		
37	Masonry Restoration (Spring) <i>Other work</i>	142 days	Tue 03/15/11	Wed 08/03/11	[Gantt bar]		
38	Assemble floor structures partial (Fall)	14 days	Wed 11/03/10	Tue 11/16/10	[Gantt bar]		
39	Assemble floor structures partial (Spring)	28 days	Tue 03/15/11	Mon 04/11/11	[Gantt bar]		
40	Building Inspection	2 days	Thu 08/04/11	Fri 08/05/11	[Gantt bar]		
41	Complete enclosure & board-up etc	14 days	Sat 08/06/11	Fri 08/19/11	[Gantt bar]		
42	Prime Paint Façade	14 days	Sat 08/20/11	Fri 09/02/11	[Gantt bar]		



# ON BLOCK Building Enclosure Work

Preliminary Schedule  
For discussion June 3, 2010  
Revised based on August 13, 2010 Building Permit  
*Revised 8/30/10*

Qtr 4, 2010			Qtr 1, 2011			Qtr 2, 2011			Qtr 3, 2011		
Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep

