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ATTACHMENT 1

BRYAN PROPERTIES, INC.

300 Market St., Suite 120
919.933.4422

Chapel Hill NC 27516
Fax 919.933.1902

May 14, 2007

Mr. Roger Stancil, Manager
Town of Chapel Hill
306 North Columbia Street
Chapel Hill, NC 27516

Request to provide payment in lieu of greenway on the VilCom Campus

Dear Mr. Stancil:

Im writing on behalf of Redwing Land. Redwing is an affiliate of Bryan Properties and the developer of Dawson Hall, the new 72,000 square foot office building under construction at the VilCom campus on Weaver Dairy Road.

Construction of Dawson Hall is going well and we expect to complete the building in the third quarter of this year. We have encountered one difficulty that we must bring to your attention.

The Special Use Permit for three new buildings (and associated features) at VilCom was approved in 1999. It stipulated that a greenway be built in the Duke Energy easement that is at the back of the campus. When we were developing minor revisions to the ZCP, which the town staff approved, our civil engineer had several communications with Duke Energy staff. We were given oral assurance that our greenway design was acceptable to them. However, when Duke officials in Charlotte reviewed our design, they rejected it. They have grown very particular about activities in their easements.

Bill Webster and Phil Mason have worked diligently on this problem with our engineer, Richard Dickie. They have participated in phone conferences and meetings and have shown considerable flexibility regarding greenway design. We have offered three different designs and all have been rejected by Duke Energy.

After many conversations, negotiations and designs, town staff and our group agree that our only option to meet our greenway obligation under the VilCom SUP is to provide a payment in lieu for the greenway paths along the north and east edges of the property. Our consultant, Anne Stoddard, met with Bill Webster to establish a fair

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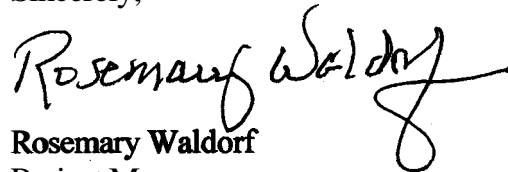
payment. The calculation per linear foot (LF) and payment schedule that they agreed on is provided below:

	LF of greenway	Price per LF	Total payment	Payment due
10-foot section	1,360	\$30	\$40,000	Phase II CO
5-foot section	580	\$20	\$11,600	Phase III CO

We ask you to approve this change as a minor modification of the Special Use Permit, in accordance with Article 4.5.4(a) of the LUMO. We believe that it does not constitute a modification of the SUP, as defined in 4.5.4(b).

Thank you very much for your consideration. Please call me if I can answer any questions.

Sincerely,



Rosemary Waldorf
Project Manager

Cc: J.B. Culpepper
Bill Webster
D.R. Bryan
Anne Stoddard