September 8, 2009

Mayor Fred Eisenberger and Members of Council
City of Hamilton
c/o Clerks Office
77 James Street North, Suite 220
Hamilton, Ontario
L8P 4Y5

Dear Mayor Eisenberger and Members of Council,

Re: Land Transaction Negotiations – City and Di Cienzo Properties
Dartnell Road Extension – North Glanbrook Industrial Park

Please consider this letter as a formal appeal to my original application submitted on July 21, 2009 to speak to a committee of council that was subsequently denied in August 2009. It is requested that your reconsideration of the decision be made based in part on the following reasons:

1. Formal land purchase and sale agreements for future Dartnell Road extension parcels were prepared and forwarded by the City to Di Cienzo on or about May 15, 2009. Following review of the agreements by legal counsel of both parties to ensure that the City’s agreed upon conditions were legally documented and binding, Di Cienzo formally signed both documents without changes to the City’s offered values. Delivery of the signed agreements to the City was completed on or about June 19, 2009.

2. Since the return of the signed documents to the City, there has been no communication or correspondence from the City to Di Cienzo regarding the status of the agreements or the subject land transactions.

3. On August 27, 2009, a letter prepared by the City’s legal consultant was received notifying Di Cienzo of expropriation of a small parcel of road allowance widening along Twenty Road East. There was no mention in the correspondence about the previously signed agreements or the status thereof.

4. Agreements have been facilitated by the City with adjacent land owners consisting of large business corporations. There has been no mention of land expropriation when dealing with the nearby business corporations, however, Di Cienzo as a single private land owner now faces expropriation by the City after a signed agreement was submitted. It appears that the approval for expropriation was given without regard or consideration by council of the signed agreement as prepared by the City.

On closing and in summary, I would request your reconsideration and would like the opportunity to present to Council the facts regarding the status of the land transactions. I trust my position is clearly stated.

Respectfully submitted,

Giuseppe Di Cienzo