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**COPY**  
WRITER'S EMAIL: JFLYNN@TDDLAW.COM

April 24, 2026

Via Email to: mstesq@aol.com

Michael S. Troyan, Auburn Township Trustee  
11010 East Washington Street  
Auburn Twp., Ohio 44023

RECEIVED  
APR. 28 REC'D  
AUBURN TOWNSHIP

**Re: The Patio Bar & Grill, Parcel No. 01-113850  
10584 Washington Street, Auburn Township, Geauga County, Ohio  
(the "Property")**

Dear Mr. Troyan,

As you are aware I represent The Patio Bar & Grill and Patio Real Estate Holding Co. As we have discussed on several calls, my client is in receipt of Auburn Township's March 3, 2026 letter regarding the above-referenced Property and compliance with the Agreed Judgment Entry ("AJE") in the case captioned KKR, Inc. v. Mr. Frank Kitko, Auburn Township Zoning Inspector, Geauga County Court of Common Pleas Case No 12A000837 (the "Lawsuit").

Based upon our conversations and further discussions with my client, we propose the following to resolve the alleged violations of the AJE as outlined in the Township's March 3, 2026 letter:

- My client will agree to construct a six foot (6') high board-on-board fence with a length of approximately one hundred twenty-five feet (125') along the western portion of the Property in the area depicted on the enclosed Exhibit A.
- If desired by the property owner to the north of the Property, my client will agree to construct a six foot (6') high board-on-board fence approximately with a length of approximately one hundred seventy-two feet (172') along the northern border of the Property in the area depicted on the enclosed Exhibit A.
- My client will agree to designate the paved parking area adjacent to the building on the east side of the building for "deliveries only" by placing signage in the area indicating such area is "for deliveries only".

As discussed on our calls, my client's removal of some of the existing six-foot high fencing

PLEASE REPLY TO: CHARDON OFFICE

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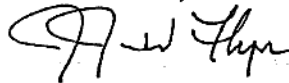
enclosing the back patio was due to concerns about safety for staff and patrons of the restaurant alike. With the additions of the proposed fencing along the western border and the northern border (if desired by the property owner to the north), the intent of the original AJE is met, while still improving overall safety at the Property.

As for the parking along the east side of the Building, my client disagrees that such is relevant to this matter and that the Township has a right to dictate the use of such pre-existing use. Nevertheless, in effort to compromise and resolve this matter, my client will agree to install and maintain "For Deliveries Only" signage in the area in an effort to deter patrons from parking along the eastern side of the building.

I'd appreciate it if you could review this proposal with the Trustees and contact me at your earliest convenience. In the event that the Township believes the AJE needs to be formally modified, please let me know, and I can incorporate the proposed modifications as an Amendment to the AJE.

Very truly yours,

THRASHER, DINSMORE & DOLAN, LPA



J. Jared Flynn, Esq.

JJF/lk