



## Kam Sang Company

April 16, 2020  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92840

Re: Enforced Delay

Dear Sirs,

This written letter is to request a time extension for the deliverables under (1) the Disposition and Development Agreement (“DDA”) between the Garden Grove Agency for Community Development (the “Agency”) and Palm Court Lodging, LLC, dated as of June 4, 2001, to which Kam Sang Company (“Developer”), is the successor to all of Palm Court Lodging, LLC’s rights to the DDA dated as evidenced by that Assignment and Assumption of Disposition and Development Agreement dated as of April 27<sup>th</sup>, 2004 and assented to by the Agency as of June 30, 2006 and, (2) under the Exclusive Negotiation Agreement between the City of Garden Grove and New Age Garden Grove, LLC for the Proposed Development of the Nickelodeon project.

### A. Enforced Delay

Section 602 of the DDA states that “all performance and other dates specified in this Agreement shall be extended, where delays are due to [, among other reasons,] governmental restrictions or priority; litigation; [or] acts or failures to act of the City or any other public or governmental agency or entity.” Kam Sang Company has been unable to move forward with development of the project because:

1. Due to the impact related to the COVID-19 pandemic, and the government orders to shelter-in-place, we request a force-majeure time extension to provide the deliverables for the Nickelodeon project. As none of the federal, state, county, or city governments have given a timetable to normalize economic activities, and the shelter in place requirements are “until further notice,” it is difficult to say how much of a time extension is required. We anticipate that the time requirement will be at least for 90 days after the government has announced a normalization of economic activity.

Sincerely,

Phil Wolfgramm  
Sr. VP

Acknowledge and Agree,

Greg Blodgett  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842