



Blake E. Whiteman  
602-234-7848  
[BEW@JHC.Law](mailto:BEW@JHC.Law)

March 5, 2021

*Via First Class Mail:*

John Oertle, Member  
Twin Knolls Two Land, LLC  
4962 South Marigold Way  
Chandler, Arizona 85248

Kent Oertle, Member  
Twin Knolls Two Land, LLC  
Post Office Box 50411  
Phoenix, Arizona 85076

Re: *Termination of Agreement and Lease with Custom Landscape Materials, LLC*

Gentlemen,

This firm represents Custom Landscape Materials, LLC in connection with the Agreement and Lease dated March 12<sup>th</sup>, 2019 between Custom Landscape Materials, LLC (hereinafter referred to as "Lessee") and Twin Knolls Two Land, LLC (hereinafter referred to as "Owner").

As you are well aware, it is an understatement to say that the proposed gravel mine has been extremely difficult. There has been resistance from the neighborhood, the news media, and the Maricopa County Air Quality Department (MCAQD). It has been almost exactly two (2) years since the above-referenced Agreement and Lease was entered into and Lessee has been unable to obtain the appropriate permits. Moreover, it appears that any attempt to mine the property for gravel will be met with daily protests, negative media coverage, and other obstacles.

Therefore, pursuant to section F.2. of the Agreement and Lease, Lessee hereby gives notice of termination as Lessee has been unable to obtain mining permits within twelve (12) months (March 12, 2020) from the appropriate agencies necessary to mine the rock.

Pursuant to section F.2., this Agreement and Lease is automatically deemed cancelled and terminated without the requirement of any further action by Owner

JENNINGS HAUG  
CUNNINGHAM

John Oertle, Member  
Kent Oertle, Member  
Twin Knolls Two Land, LLC  
Page 2

Lessee. Neither party to the contract has any further obligation, rights, or liability pursuant thereto.

If you have any questions or concerns you wish to discuss, please contact me directly.

Very truly yours,



Blake E. Whiteman

BEW/lh

cc: Client