Dan's Response – Suggested Next Step

From: M Bret Blackford (bret_blackford@yahoo.com)
To: sazonstl@hotmail.com
Cc: bret_blackford@yahoo.com
Date: Tuesday, September 15, 2026 at 12:46 PM CDT

Christian,

I read Dan's response. My take is that there are a few different things going on, and I would try not to mix them all together right now.

First, the encouraging part is that Dan appears willing to consider some type of Base Rent credit. He said he would consider the credit until he gets approval from the Landmarks Board. That is at least a positive starting point.

There are still some questions we may need to address later. The City has indicated that Landmarks approval is only one of several approvals needed before the patio can actually be used, so at some point we may need to revisit how long the reduced Base Rent/credit should continue. Dan also did not address the question about the written "Patio Completion" notice referenced in Section 3(b) of the lease.

Dan also raised several separate financial issues — contractor balances, the $1,500 electrical panel, patio items, moving assistance, outdoor lighting, etc. I would **not argue about those items right now, but I also would not agree that you owe them**. I would simply ask him to send you the invoices and documentation showing what work was performed and what Sazon/ALAMOS agreed to pay. We can review those separately after you receive them.

Most importantly, I do **not** think you want to get into a back-and-forth argument with Dan. You will likely have a long-term relationship with him, and the immediate objective should be to get the patio approved and open while protecting your position on the rent and other costs.

You have already asked the City to clarify which approvals should be handled by the property owner and which should be handled by Sazon. I think it makes sense to let the City answer that question rather than you and Dan debating it between yourselves.

I would suggest sending Dan something simple and friendly like this:

Dan**,**

Thank you for getting back to me. I appreciate your willingness to consider the Base Rent credit and to work with me on getting the patio approved.

Yes, we definitely want to move forward with the City approval process. We have also asked the City to clarify which applications should be handled by the property owner and which should be handled by Sazon. Once we hear back, hopefully we can coordinate everything quickly and keep the process moving.

Regarding the contractor balance, electrical panel, patio items and the other items you mentioned, please send me the invoices and supporting information when you have a chance. I'll review those separately so we can make sure we both

have the same understanding.

Thanks again. I appreciate your help and want to get this resolved in a way that works well for everyone.

Cristian

For now, I would **not mention lost revenue**, argue about whether Landmarks approval is the proper end date for the rent credit, or challenge the contractor charges. Those issues are not going away, but we will be in a better position to address them after we hear back from the City and see whatever documentation Dan provides.

My goal would be to remain very cordial with Dan while being careful not to accept responsibility for costs or obligations that may properly belong to the landlord.

Once you hear back from the City or Dan sends you the invoices, forward them to me and we can look at what makes sense next.

— Bret

On Tuesday, September 15, 2026 at 12:24:22 PM CDT, Sazon St Charles <sazonstl@hotmail.com> wrote:

From: Dan Flaiz <dflaiz@mckelveyproperties.com>
Sent: Tuesday, September 15, 2026 5:09 PM
To: Sazon St Charles <sazonstl@hotmail.com>
Cc: Mario Garcia <marioedgar2687@gmail.com>
Subject: Re: 416 S. 5th Street- Patio Permitting and Rent

I will consider the credit until I get approval from the landmark board if that is the route you would like to proceed. There is still an outstanding balance due to contractors related to work on my building I may need to pay them and charge interest on in order to avoid a lien on my property. I'll also need to send an invoice over for the $1,500 I contributed for the electrical panel that was not in the lease agreement along with any additional items I've contributed outside of the lease agreement (Patio items, moving assistance, electrical for the outdoor lights, etc.)

Daniel Flaiz | McKelvey Properties

Investment Sales & Leasing Broker

17280 N Outer 40 Rd, Suite 201

Chesterfield, MO 63005

Mobile: 314.267.8086

www.McKelveyProperties.com

From: Sazon St Charles <sazonstl@hotmail.com>
Sent: Tuesday, 15 September 2026 11:58:33
To: Dan Flaiz <dflaiz@mckelveyproperties.com>

Cc: Mario Garcia <marioedgar2687@gmail.com>
Subject: 416 S. 5th Street- Patio Permitting and Rent

Hi Dan

I am writing regarding the patio constructed adjacent to Sazon at 416 S. 5th Street.
The City of St. Charles has now advised us that the patio cannot be used until several approvals are completed. The City identified a Certificate of Appropriateness/site plan, an amendment to the Conditional Use Permit, a parking plan, an amended liquor license, and a building permit for the patio work that has already been completed.
I want to move quickly and cooperatively so that we do not miss the City's upcoming filing deadlines.
Under Section 3(b) of our lease, the reduced $3,250 Base Rent was to continue until Landlord substantially completed construction of the patio, with "Patio Completion" occurring upon Landlord's written notice that the work was substantially complete. The patio construction was undertaken by Landlord, and Section 24 refers to Landlord's Work/Improvements and specifically recognizes permitting as a potential source of delay.

Sazon is prepared to promptly pursue the amended liquor license and to cooperate fully with the City regarding permits and approvals that relate specifically to our restaurant operation.
However, because the patio was constructed by Landlord and the City is now requiring a building permit for work already completed, along with property/site approvals and a parking plan affecting the entire property, I believe Landlord should take responsibility for those property and construction-related items and provide the owner approvals and information necessary for the applications.
Please confirm as soon as possible that Landlord will:

1. take responsibility for obtaining the building permit and resolving any permitting issues associated with construction of the patio;
2. take the lead on, or fully cooperate with, the Certificate of Appropriateness/site plan and property-wide parking plan;
3. promptly sign or provide any owner authorization required for the Conditional Use Permit amendment; and
4. work with us so that the City's September 21 and September 28 filing deadlines are met.

I would also like to resolve the rent issue. Because the patio cannot legally be used, I am requesting that the temporary $3,250 monthly Base Rent remain in effect until the property/construction approvals necessary to legally use the patio have been completed. I also request a credit for any Base Rent paid above $3,250 per month for the last two months.
Please also provide me with a copy of the written Patio Completion notice referenced in Section 3(b), if one was previously issued.
I want to resolve this quickly and cooperatively. Please let me know today or tomorrow how you would like to coordinate the filings with the City.
Thank you,
Cristian Sanchez Gavier
ALAMOS LLC / Sazon