Fw: 416 S. 5th Street- Patio Permitting and Rent

From: Sazon St Charles (sazonstl@hotmail.com)

To: bret_blackford@yahoo.com

Date: Tuesday, September 15, 2026 at 12:24 PM CDT

From: Dan Flaiz <dflaiz@mckelveyproperties.com>
Sent: Tuesday, September 15, 2026 5:16 PM
To: Sazon St Charles <sazonstl@hotmail.com>
Cc: Mario Garcia <marioedgar2687@gmail.com>
Subject: Re: 416 S. 5th Street- Patio Permitting and Rent

NNN's were also supposed to be paid during the free rent period per lease and standard commercial practices. I will send over an invoice with those as well equaling $2,517

Daniel Flaiz | McKelvey Properties

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17280 N Outer 40 Rd, Suite 201

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From: Dan Flaiz <dflaiz@mckelveyproperties.com>
Sent: Tuesday, 15 September 2026 12:09:05
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.)

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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