

# COMSTOCK

April 29, 2022

Via Federal Express and Email

The Town of Herndon, Virginia  
777 Lynn Street  
Herndon, Virginia 20170  
Attention: William Ashton, Town Manager  
Email: [bill.ashton@herndon-va.gov](mailto:bill.ashton@herndon-va.gov)  
[town.manager@herndon-va.gov](mailto:town.manager@herndon-va.gov)

Reed Smith, LLP  
7900 Tysons One Place, Suite 500  
McLean, Virginia 22102-5979  
Attention: Grayson P. Hanes, Esq.  
Email: [gahanes@reedsmith.com](mailto:gahanes@reedsmith.com)

The Town of Herndon, Virginia  
777 Lynn Street  
Herndon, Virginia 20170  
Attention: Lesa Yeatts, Town Attorney  
Email: [lesa.yeatts@herndon-va.gov](mailto:lesa.yeatts@herndon-va.gov)

RE: **Herndon Downtown Redevelopment Project**

Comprehensive Agreement dated November 1, 2017 (“Original Agreement”), as amended by that certain Amendment to Comprehensive Agreement dated December 3, 2020 (“Amendment”) and that certain Letter Agreement to Extend the Outside Satisfaction Date dated December 21, 2021 (“Letter Agreement”) (collectively, the “Agreement”), by and between the Town of Herndon, Virginia (“Town”) and Comstock Herndon Venture, LC (“Comstock”)  
**Comstock’s Exercise of Outside Satisfaction Date Market Pause (this “Notice”)**

Dear Town of Herndon:

Pursuant to Section 7 of the Amendment, Comstock hereby notifies the Town of Comstock’s exercise of the right to delay the Outside Satisfaction Date to April 30, 2024 in accordance with each of Sections 7(i) through and including (vi) of the Amendment. Thus, the Outside Satisfaction Date is April 30, 2024. An updated Project Schedule was provided to the Town on April 7, 2022 as required under Section 7 of the Amendment.

Comstock reserves the right to withdrawal this Notice at any time, including, without limitation, if Comstock and the Town execute and deliver a separate written agreement to modify the Outside Satisfaction Date or to otherwise amend the terms of the Agreement. All rights are reserved.

Sincerely,

**COMSTOCK HERNDON VENTURE, LC**

By: CP Management Services, LC,  
its Manager

By:   
Christopher Clemente, Manager

