



BRIAN C. POTTER
Brian@banglepotter.com

August 14, 2019

Via Email

Austin Historic Landmark Commission
c/o Steve Sadowsky, Historic Preservation Office

RE: 1705 Haskell Street, Austin, Texas 78702 (the "Property")

To the Austin Historic Landmark Commission:

My name is Brian Potter and I am the court-appointed receiver for the above-referenced property. I am submitting this correspondence for the record in anticipation of the public hearing on a demolition permit applicable to the Property, which is currently set for August 26, 2019.

On April 15, 2019, I was appointed as receiver for the Property by Judge Guy Herman of the Travis County Probate Court. A copy of the order appointing me receiver is attached hereto. While I am not a party to the litigation and do not represent any of the parties thereto, it is my understanding that my appointment was primarily a result of an inability of the potential heirs in the case to come to an agreement as to the disposition of the Property (it is my understanding that there are approximately 18 potential heirs). Based on the foregoing, the Court ruled that the Property is not susceptible to a fair and equitable partition, and that it should therefore be sold.

The Court therefore ordered me to sell the Property, and vested in me the exclusive right to retain a real estate agent, the exclusive right to sell the Property, and the power to sign all closing documents on behalf of all the potential heirs. Upon being sold, the funds are to be placed in the registry of the court, after which the Court will determine how they are to be disbursed amongst the heirs.

To that end and in furtherance of the Court's order, on or about June 6, 2019, I executed a contract for the sale of the Property, and an application for a demolition permit has since been submitted to the City by the anticipated purchaser. The reason for the demolition permit is that the house has little monetary value as a structure due to its condition. In fact, every offer I received for the purchase of the Property was in anticipation of being able to build a new structure on the lot.

In my opinion, were the Property to be designated as "historic," it would likely render it impossible for me to effectuate to court's order to sell the Property, which would in turn leave the Court with the decision of what to do with the Property. Such a designation would also likely

August 14, 2019

result in the Property simply sitting vacant for years to come and continuing to deteriorate, as there is no “owner” in the traditional sense. It would also have the result of rendering all the time and money spent by numerous heirs and their attorneys to get to this point meaningless, as well as the time spent by myself and the various parties that have been working on selling this Property.

In closing, know that I will be in attendance at the meeting scheduled on this matter and plan on making myself available for questions.

Sincerely,

Sincerely,

/s/ Brian C. Potter /s/

Brian C. Potter