

**Fifth Amendment to the Regulating Plan (Approved May 24<sup>th</sup>, 2012)**

BlueStone Commons, LLC  
Village Center Development, LLC  
Woodland Commons, LLC

September 30, 2014

**1. Purpose**

This amendment is for purpose of modifying the BlueStone Regulating Plan approved May 24, 2012, amended by that certain First Amendment dated August 27, 2012, that certain Second Amendment dated December 21, 2012, that certain Third Amendment dated June 19, 2013, and as ratified by City of Duluth Ordinance No. 10271 dated December 16, 2013 and that certain Fourth Amendment Dated August 29, 2014, (collectively, the “Regulating Plan”) to modify the setback requirements of Tract A, RLS 114, St. Louis County, Minnesota.

The Applicant has initiated the final design of Phase 2R of the Regulating Plan. In connection with the completion of this Phase, the Applicant has obtained or will cause to be obtained all necessary permits or other approvals from the City of Duluth, and the City and the Applicant now wishes to a modify a single setback requirement of the Regulating Plan.

**2. Amendment to the Regulating Plan – Tract A Building Setback**

The Building Setback for the Side Yard (W) of Tract A, RLS 114, St. Louis County, Minnesota shall be amended as follows:

Tract A....

4. Building Setback:...

ii. Side Yard: (W) 0 feet

**3. Authority.**

This alteration does not alter major elements of the approved Regulating Plan and does not constitute a variance from the provisions of Chapter 50 of the Unified Development Chapter.

[Signatures on the Following Page]

[Signature Page to Fifth Amendment to the Regulating Plan (Approved May 24<sup>th</sup>, 2012)]

BlueStone Commons, LLC, a Minnesota  
Limited liability company



By: Mark W. Lambert  
Its: Chief Manager

Village Center Development, LLC, a Minnesota  
limited liability company



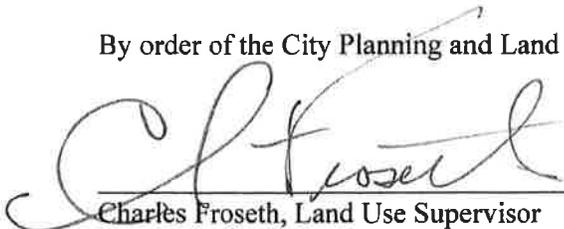
By: Mark W. Lambert  
Its: Chief Manager

Woodland Commons, LLC, a Minnesota limited  
liability company



By: Mark W. Lambert  
Its: Chief Manager

By order of the City Planning and Land Use Supervisor

  
Charles Froseth, Land Use Supervisor  
Keith Hamre, Director of Planning and Construction Services