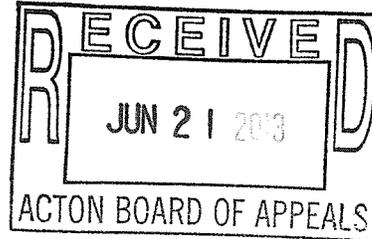


Friday, June 21, 2013

Kenneth Kozik, Chairman  
Zoning Board of Appeals – Town of Acton  
Town Hall  
472 Main Street  
Acton, MA 01720  
978.929.6620



Dear Mr. Kozik,

I am writing in regards to a Letter of Credit (“LOC”) currently outstanding between Avalon Acton, Inc. and the Town of Acton, related to infrastructure work completed surrounding our Avalon Acton apartment community. The LOC was issued at the time Avalon Acton was ready to begin occupying homes, yet not all infrastructure work was complete (“Remaining Work”). The LOC was obtained to ensure that should AvalonBay not have completed the agreed upon Remaining Work, the Town would have the financial means to complete the work.

At this time, all Remaining Work under the terms of the LOC is complete. AvalonBay has confirmed this through discussions with the Town Planner, Roland Bartl, and his own communication with various Town departments.

Avalon Acton, Inc. respectfully requests the release of Letter of Credit #68022182, in the amount of \$1,033,326 for the Remaining Work related to the Avalon Acton Common Facilities and Infrastructure. Attached please find the executed Letter of Credit Agreement, along with a Project Site Completion letter from H.W. Moore Associates, the engineer of record.

Regards,

Steven L. Gorning  
Development Manager  
AvalonBay Communities, Inc.  
51 Sleeper Street, Suite 750  
Boston, MA 02210  
p. 617.654.9505  
[steven\\_gorning@avalonbay.com](mailto:steven_gorning@avalonbay.com)

cc: Roland Bartl, Director of Planning – Town of Acton  
Eva Szkaradek, Town Clerk – Town of Acton  
Frank Ramsbottom, Building Commissioner – Town of Acton  
Scott Dale, Senior Vice President – AvalonBay Communities, Inc.

enclosures