



Fidelity National Title

INSURANCE COMPANY OF NEW YORK

Steven H. Winkler
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DATE: May 9, 2001
TO: Peter Rotelli
FAX NO.: 401-751-1146
FROM: Steve Winkler
RE: Commons at Sinnott Farm

Number of Pages(including Cover Sheet): 1

I have reviewed my file on this project and believe that you should have a reasonable shot at prevailing in a declaratory judgment, reformation, or quiet title action that alleges that you hold development rights to construct 33 units on the Knoll(I think that is the number). Development Rights were clearly reserved in the Declaration, and the Development Rights have not expired. The only problem is that the Development Rights in the Declaration refer to a map notation that did not make it to the recorded map. None of us would insure the Development Rights in their current state, but there is ample evidence of what was intended. A court would have no problem in determining the nature and extent of the rights that were intended to be created, if it chose.