

[REDACTED]

From: [REDACTED]
Sent: Wednesday, March 22, 2023 10:12 AM
To: [REDACTED]
Subject: FW: [External] Poplar Plaza: County Clerk: new location (Whitehaven Plaza: Holdover)

FYI.

From: Rick Smith
Sent: Tuesday, March 21, 2023 9:30 AM
To: Halbert, Wanda ; Dawn Kinard ; Norville, Cliff
Cc: Grandberry, Bobby ; Cash, Bill ; Rachael Henderson ; Sykes-Wood, Esther ; Alston, Nycole
Subject: RE: [External] Poplar Plaza: County Clerk: new location (Whitehaven Plaza: Holdover)

Good morning Ms. Halbert – its me again ... just touching base in hopes to avoid you ending up without a space at Poplar Plaza. We're 3 months and a few days away from the end of the Term. I'm glad to discuss the relocation at any point.

Thanks!
Rick

From: Rick Smith
Sent: Tuesday, February 14, 2023 11:30 AM
To: Halbert, Wanda <Wanda.Halbert@shelbycountytn.gov>; Dawn Kinard <dawn@welch.realty>; Norville, Cliff <Cliff.Norville@shelbycountytn.gov>
Cc: Grandberry, Bobby <Bobby.Grandberry@shelbycountytn.gov>; Cash, Bill <Bill.Cash@shelbycountytn.gov>; Rachael Henderson <rhenderson@finardproperties.com>; Sykes-Wood, Esther <Esther.Wood@shelbycountytn.gov>; Alston, Nycole <Nycole.Alston@shelbycountytn.gov>
Subject: RE: [External] Poplar Plaza: County Clerk: new location (Whitehaven Plaza: Holdover)

Thank you for the quick response. Please call on me if there is anything I can do from my side to be of assistance.

Thx again!
Rick

From: Halbert, Wanda <Wanda.Halbert@shelbycountytn.gov>
Sent: Tuesday, February 14, 2023 10:32 AM
To: Rick Smith <rsmith@finardproperties.com>; Dawn Kinard <dawn@welch.realty>; Norville, Cliff <Cliff.Norville@shelbycountytn.gov>
Cc: Grandberry, Bobby <Bobby.Grandberry@shelbycountytn.gov>; Cash, Bill <Bill.Cash@shelbycountytn.gov>; Rachael Henderson <rhenderson@finardproperties.com>; Sykes-Wood, Esther <Esther.Wood@shelbycountytn.gov>; Alston, Nycole <Nycole.Alston@shelbycountytn.gov>
Subject: RE: [External] Poplar Plaza: County Clerk: new location (Whitehaven Plaza: Holdover)
Importance: High

Good Morning Rick:

Thank you for the reminder. We are meeting and talking with all involved. I will request an urgent meeting.

Wanda



Shelby County Clerk

www.shelbycountyttn.gov/74/County-Clerk

Wanda Halbert

Shelby County Clerk

Office: 901.222.2652

Fax: 901.222.2628

Office Address: 150 Washington Avenue, 1st floor

Email: Wanda.Halbert@shelbycountyttn.gov

WH



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From: Rick Smith [<mailto:rsmith@finardproperties.com>]

Sent: Tuesday, February 14, 2023 8:33 AM

To: Dawn Kinard

Cc: Norville, Cliff; Halbert, Wanda; Grandberry, Bobby; Cash, Bill; Rachael Henderson; Sykes-Wood, Esther; Alston, Nycole

Subject: RE: [External] Poplar Plaza: County Clerk: new location (Whitehaven Plaza: Holdover)

Good morning and I wish a Happy Valentine's Day to the ladies!

Just another ping in hopes to avoid some misery, especially for the customers! The Poplar Plaza location is 4 and ½ months from expiring ... the Whitehaven lease has now been in holdover (a 30-day lease that extends for only another 30 days at the end of each month) now for over a year. I sure would like to have you in new and more appropriate spaces at both properties but all I can do is remind you of the ticking clock.

I will make every effort to make myself available to you when the county is ready to discuss.

Sincerely,

Rick

From: Rick Smith

Sent: Thursday, January 19, 2023 5:09 PM

To: Dawn Kinard <dawn@welch.realty>

Cc: Norville, Cliff <Cliff.Norville@shelbycountyttn.gov>; Halbert, Wanda <Wanda.Halbert@shelbycountyttn.gov>;

Grandberry, Bobby <Bobby.Grandberry@shelbycountyttn.gov>; Cash, Bill <Bill.Cash@shelbycountyttn.gov>; Rachael

Henderson <rhenderson@finardproperties.com>; Sykes-Wood, Esther <Esther.Wood@shelbycountyttn.gov>; Alston, Nycole <Nycole.Alston@shelbycountyttn.gov>

Subject: RE: [External] Poplar Plaza: County Clerk: new location

Thanks Dawn! I just don't want things to blow up for anyone on this email chain so I'm just doing my best to communicate way in advance. I will make myself available for meetings or calls to any extent I can be of help from my side.

Thx again!
Rick

From: Dawn Kinard <dawn@welch.realty>

Sent: Thursday, January 19, 2023 2:20 PM

To: Rick Smith <rsmith@finardproperties.com>

Cc: Norville, Cliff <Cliff.Norville@shelbycountyttn.gov>; Halbert, Wanda <Wanda.Halbert@shelbycountyttn.gov>; Grandberry, Bobby <Bobby.Grandberry@shelbycountyttn.gov>; Cash, Bill <Bill.Cash@shelbycountyttn.gov>; Rachael Henderson <rhenderson@finardproperties.com>; Sykes-Wood, Esther <Esther.Wood@shelbycountyttn.gov>; Alston, Nycole <Nycole.Alston@shelbycountyttn.gov>

Subject: Re: [External] Poplar Plaza: County Clerk: new location

Rick,

On Behalf of Shelby County Clerk:

I have had several meetings with the Clerk and her staff regarding Poplar Plaza and Whitehaven, Everyone has the LOI's and has had them for months.

I am not sure everyone is on the same page and understands the Clerk's needs.

This is a top priority for the Clerk and I assure you, we will move forward with her office's interest and her ability to serve the citizens of Shelby County, as a top priority.

I will follow up and get back to you as quickly as possible.

Dawn Welch Kinard

Owner/Broker | Welch Realty, LLC.

(901) 490-9003

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38017

TN License: 234524

MS License: B-23167

On Thu, Jan 19, 2023 at 2:10 PM Rick Smith <rsmith@finardproperties.com> wrote:

Thanks for the reply Cliff! Please see inserts below:

From: Norville, Cliff <Cliff.Norville@shelbycountyttn.gov>

Sent: Thursday, January 19, 2023 9:16 AM

To: Rick Smith <rsmith@finardproperties.com>; Halbert, Wanda <Wanda.Halbert@shelbycountyttn.gov>; Grandberry, Bobby <Bobby.Grandberry@shelbycountyttn.gov>; Cash, Bill <Bill.Cash@shelbycountyttn.gov>

Cc: Rachael Henderson <rhenderson@finardproperties.com>; Dawn Kinard - Welch Realty Company (dawn@welch.realty) <dawn@welch.realty>; Sykes-Wood, Esther <Esther.Wood@shelbycountyttn.gov>; Alston, Nycole <Nycole.Alston@shelbycountyttn.gov>

Subject: RE: [External] Poplar Plaza: County Clerk: new location

Thank you for the reminder, Rick. We are very aware of the impending deadline and we are in conversations with the Clerk regarding her options. Please let me confirm a few things about a potential future lease at your location.

1. The only space available for the Clerk's office in the Poplar Plaza is the space at the northern border of the plaza, which currently houses your administrative offices, correct?**[Rick:]** Yes, you are correct
2. When we last met on site, you mentioned that an additional space adjacent to your administrative offices may also be available. Is that still the case?**[Rick:]** yes ... if/when the tenant moves out. What is the current status of that lease?**[Rick:]** Their current term expires 5/31/27. We're willing to provide the county with a First Right of Refusal on that space. They have only been open since the summer so we don't have a sense yet if the store is performing well or not, but I'm thinking we will by the end of this summer.
3. Are you open to negotiating the cost of the build out of the new space for the Clerk into the lease?**[Rick:]** I guess the key is the definition of "negotiating" 😊 We're willing to talk about it, but we're not going to underwrite it without the rent reflecting our expense. Also, wanting to be forthright, we're not willing to spend dollars on tenant specific buildout such as millwork (such as counter and stations), bullet proof glass, and other items that are beyond a white box condition.
4. How long of a lease are you willing to consider?**[Rick:]** I'm open to discussion on how long, but I'm wondering if you mean how short? We could do 3 years (rather than the additional 5 we've always done with you before) so long as the build-out expenses are appropriately settled as mentioned in your item 3 above. If you are wanting to ask us to spend a bunch of money, then things change a lot on this subject. For one, at this time we're not

inclined to do so, re; the space you are getting is newer/nicer in every aspect than your current. Secondly, even if we did there would have to be an unamortized repayment of LL's out of pocket in the even of move out and I'm not thinking that is something the county would agree to for this size space.

[Rick:] For convenience and in case you haven't seen them, I've attached the LOI's for both Poplar and WHP. These are the terms that have been in place since the first week of October and which all discussions to date have evolved around. I'm certainly glad to come down for another meeting or just jump on a call for discussion on any of the above. Thanks, and let's get together and not let June sneak up on us. That would be painful for both sides!

From: Rick Smith <rsmith@finardproperties.com>

Sent: Thursday, January 19, 2023 9:01 AM

To: Halbert, Wanda <Wanda.Halbert@shelbycountytn.gov>; Grandberry, Bobby <Bobby.Grandberry@shelbycountytn.gov>; Cash, Bill <Bill.Cash@shelbycountytn.gov>; Norville, Cliff <Cliff.Norville@shelbycountytn.gov>

Cc: Rachael Henderson <rhenderson@finardproperties.com>; Dawn Kinard - Welch Realty Company (dawn@welch.realty) <dawn@welch.realty>

Subject: RE: [External] Poplar Plaza: County Clerk: new location

Importance: High

Good morning Ms. Halbert! I'm checking in because we haven't spoken in a while. I know its not what you want to hear but I'm truly trying to be way out front of problems ... in hopes those problems never get a chance to occur. At the end of this month, we will be 5 months away from the expiration of the Lease at Poplar Plaza. Please recall that we've let everyone know that we will not be renewing your lease in that space. If we get to that expiration date without having you a new space the inconvenience to the citizens will be numerous, and I just want to prevent that from happening. I respect that you are most likely considering other locations in the market however I again want to make it clear that our goal is not to lose you as our tenant. Rather, we would like to relocate you to a space that is more convenient to your needs as well as ours. If we are going to get that done, we're starting to be up against time in a serious way. We'll have to work through the full execution of a lease, there will need to be construction plans, we will have to move out, then construction will have to take place, then of course the move of your office. None of those are a quick layup.

My sincere goal is to prevent problems, but when we start running out of time then the problems will start to escalate. Let's work together and not let that be the case.

I'm available for discussion and planning!

Rick

From: Rick Smith

Sent: Thursday, October 6, 2022 8:41 AM

To: Cash, Bill <Bill.Cash@shelbycountytn.gov>; Halbert, Wanda <Wanda.Halbert@shelbycountytn.gov>; Grandberry, Bobby <Bobby.Grandberry@shelbycountytn.gov>

Cc: Rachael Henderson <rhenderson@finardproperties.com>

Subject: RE: [External] Poplar Plaza: County Clerk: new location

Ms. Halbert – just checking in on the LOIs for both locations. Have you and your group had the opportunity to review those? If so, do you have any questions? Thx!

Bill - this version of the office might serve you better. Also, the second file is the space next door (phone repair store) that we could give you the first right of refusal on that expansion area.

From: Rick Smith

Sent: Thursday, October 6, 2022 8:34 AM

To: Cash, Bill <Bill.Cash@shelbycountytn.gov>; Halbert, Wanda <Wanda.Halbert@shelbycountytn.gov>; Grandberry, Bobby <Bobby.Grandberry@shelbycountytn.gov>

Cc: Rachael Henderson <rhenderson@finardproperties.com>

Subject: RE: [External] Poplar Plaza: County Clerk: new location

Bill – attached is a plan of the current conditions of the Finard office at Poplar Plaza.

From: Rick Smith

Sent: Wednesday, September 28, 2022 12:54 PM

To: Cash, Bill <Bill.Cash@shelbycountytn.gov>; Halbert, Wanda <Wanda.Halbert@shelbycountytn.gov>; Grandberry, Bobby <Bobby.Grandberry@shelbycountytn.gov>

Cc: Rachael Henderson <rhenderson@finardproperties.com>

Subject: RE: [External] Poplar Plaza: County Clerk: new location

That will work fine on my side.

From: Cash, Bill <Bill.Cash@shelbycountytn.gov>

Sent: Wednesday, September 28, 2022 12:23 PM

To: Rick Smith <rsmith@finardproperties.com>; Halbert, Wanda <Wanda.Halbert@shelbycountytn.gov>; Grandberry, Bobby <Bobby.Grandberry@shelbycountytn.gov>

Cc: Rachael Henderson <rhenderson@finardproperties.com>

Subject: RE: [External] Poplar Plaza: County Clerk: new location

Hey Rick,

How does Friday around 10am look?

Bill

From: Rick Smith [mailto:rsmith@finardproperties.com]

Sent: Wednesday, September 28, 2022 9:02 AM

To: Halbert, Wanda; Grandberry, Bobby; Cash, Bill

Cc: Rachael Henderson

Subject: RE: Poplar Plaza: County Clerk: new location

[This EMAIL was not sent from a Shelby County Government email address. Please use caution.]

Ms. Halbert – circling back again so that we can get together and put something in motion to resolve this issue. These pictures were taken this morning. We are left with nothing else at this point to send a notice of default. In the end that is NOT going to get either side what they need. Please hear me that I want to meet, organize and create a new location for you, and have this function better for you and me both. I know you are busy, but I just want to keep it in front of you that it will take months for us to get all the paperwork done. If we don't start now the we're going to have to deal with an expired lease at Poplar Plaza, and in that situation we will not have the freedom to let things coast along.

Thanks! Lets get together and tour the other space!!

Rick

From: Rick Smith

Sent: Tuesday, September 27, 2022 10:24 AM

To: Halbert, Wanda (Wanda.Halbert@shelbycountyttn.gov) <wanda.halbert@shelbycountyttn.gov>; Bobby Grandberry - Shelby County Clerk (Bobby.grandberry@shelbycountyttn.gov) <bobby.grandberry@shelbycountyttn.gov>; 'Cash, Bill' <Bill.Cash@shelbycountyttn.gov>

Cc: Rachael Henderson <rhenderson@finardproperties.com>

Subject: RE: Poplar Plaza: County Clerk: new location

Good Morning Ms. Halbert – circling back here to see if we can get something down for you to visit the other space at Poplar Plaza. The times below are still workable for me if any of them are for you?

Thanks!

From: Rick Smith

Sent: Friday, September 23, 2022 10:20 AM

To: Halbert, Wanda (Wanda.Halbert@shelbycountyttn.gov) <wanda.halbert@shelbycountyttn.gov>; Bobby Grandberry - Shelby County Clerk (Bobby.grandberry@shelbycountyttn.gov) <bobby.grandberry@shelbycountyttn.gov>; Cash, Bill <Bill.Cash@shelbycountyttn.gov>

Cc: Rachael Henderson <rhenderson@finardproperties.com>

Subject: Poplar Plaza: County Clerk: new location

Ms. Halbert – thank you for your time yesterday as it relates to both the Whitehaven and Poplar Plaza locations. In terms of the touring the space at Poplar Plaza, I can be available at the following times. I'm hopeful some of them work easily for your schedule. I can meet:

- **Wednesday** morning, any time before noon.
- **Thursday**, anytime between 10a and 1:30p.
- **Friday** morning, any time before noon.

The attached shows your current location and the new location. While the new space is toward the back of the shopping center, it has in my opinion better visibility. I say that because all the Kroger traffic, both store and fuel, will be able to see your signage and front door. The blue represents what would become your parking area. Its not exclusive parking, but it functions considerably better than the current arrangement. More importantly in my opinion, this parking area is not stressed like the one you currently share with Paul Mitchell and their students. If we can work out staging the line in one the ways we discussed yesterday, this space would function much better for the patrons.

Finally, whatever time we meet next week, I will have a proposal for each space ready for you at that time. I hope you have a good weekend and I look forward to working through this and getting both locations renewed and improved!

Rick

Rick Smith

FINARD PROPERTIES

Director Of Real Estate