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July 15, 2019

Jerusalem

To:

Mrs. Gabriella Golker and Mr. Maurice Golker

6 Hamatsor Street, Apartment 4

Jerusalem 9254459

Dear Sir/Madam,

**Re: Planning activities and utilization of building rights at 6 Hamatsor St, Jerusalem**

I write on behalf of my clients, Mrs. Aviya Farber and Mr. Daniel Farber, with regard to the following:

1. In recent months, you approached my clients and presented them with a plan for additional construction at the apartment building at 6 Hamatsor Street, which you intend to submit to planning committees at City Hall in Jerusalem. We note that the presentation of this plan was not preceded by any consultation with my clients regarding the manner in which they wish to exercise the building rights held by all residents of the apartment building.
2. Upon reviewing the plan that was presented to them, my clients became aware that you intend to add an extension of approximately 356 meters to your apartment; further, that my clients would be allocated the "considerable" amount of 8 meters according to your plan, and that approximately 69 meters would be allocated to Mr. and Mrs. Eisenberg, who also reside in the apartment building and who are entitled to additional rights under the apartment building's regulations. The Kahana family was not granted a building extension according to your plan.
3. Further to checks carried out by my clients, it is clear that their building rights entitle them to a construction that is several times greater than the rights presented to them within the framework of the plan that you have designed, and that the plan that you have designed violates their rights substantially.
4. In spite of the fact that my clients made clear to you that they intend to examine your plan and did not give their approval to continue acting on the plan, my clients became aware that you are continuing to move ahead with the plan, without taking into consideration their rights, without consulting them, and without obtaining their consent for the plan.
5. Although my clients are willing, in general terms, to go ahead with a plan that will enable the use of construction rights such that all residents of the apartment building may enjoy them, they are not willing to assist or stand aside should you move ahead with a plan that is solely for your personal benefit.
6. Should you intend to consult with my clients regarding a plan that will benefit and utilize the rights of all of the residents of the apartment building, my clients will be prepared to cooperate.
7. However, should you continue to advance a plan without consulting my clients and in a manner that harms their rights, I shall advise my clients to oppose any plan that is submitted by you and to approach City Hall in order to prevent the advancement of the building permit process.
8. I hereby remind you that according to the Israel Land Law a decision may not be taken regarding the division of building rights in such a way that would harm the relative building rights of each apartment owner.
9. Further, according to Israeli case law, the mere fact that the roof of the apartment building is attached to your apartment does not grant you all ownership of building rights held by the residents of the apartment building, where the building rights have not been allocated to you explicitly in the apartment building's plan. In the case at hand, the building rights have not been allocated to you exclusively, and are divided among all residents of the apartment building except for the Eisenberg family, who have a specific reference in the apartment building's regulations.
10. Therefore, in order to prevent unnecessary conflict on this matter, we ask that you contact our clients in order to arrange a meeting with them during which the parties can discuss the optimal use of building rights according to the needs of all the residents of the apartment building such that all residents of the apartment building may benefit from them. Until such a meeting is arranged, we ask that you refrain from any continuation of the permit process in the various planning committees at City Hall.
11. Nothing that is stated in this letter and/or that is not stated herein shall be construed as a forfeit of any right or claim from among the rights or claims of my clients. who retain all their rights in this regard.

Yours sincerely

[Signature]

David N. Shomron, Attorney

Cc: 1. Architect Mati Rozenstein

2. Michael and Yafa Eisenberg

3. Daniel and Aviya Farber