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NIPOMO COMMUNITY
SERVICES DISTRICT

Nipomo Community Services District
148 Wilson Street
Nipomo, Ca 93444

June 8, 2015

To whom it may concern:

Please accept this Intent to Serve letter which was postmarked June 4th and received on June 6th. Thank you for your kind assistance. As John Mussell and I live in different communities it takes time to forward this original copy to him and allow him time to review it.

Sincerely,


Craig Mally

NIPOMO COMMUNITY

BOARD MEMBERS

CRAIG ARMSTRONG, PRESIDENT
DAN GADDIS, VICE PRESIDENT
BOB BLAIR, DIRECTOR
ED EBY, DIRECTOR
DAN WOODSON, DIRECTOR



SERVICES DISTRICT

STAFF

MICHAEL S. LEBRUN, GENERAL MANAGER
LISA BOGNUDA, FINANCE DIRECTOR
PETER SEVCIK, P.E., DIRECTOR OF ENG. & OPS.
MICHAEL W. SEITZ, GENERAL COUNSEL

Celebrating 50 Years of Service to the Community, 1965 - 2015

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website address: ncsd.ca.gov

May 12, 2015

This is not a Will Serve letter

Craig Mally
2614 Foothill Lane
Santa Barbara, CA 93105

John Mussell
520 N. Lucas Drive
Santa Maria, CA 93454

**SUBJECT: INTENT-TO-SERVE WATER, SEWER AND SOLID WASTE SERVICE
 TRACT 2652 – APNS 092-572-015, -025, -045
 JUNIPER STREET AND MARY AVENUE
 COMMERCIAL DEVELOPMENT**

An Intent-to-Serve letter for District services including water, sewer and solid waste service for Tract 2652 (APNs 092-572-015, -025, -045, in Nipomo, a commercial development (the "Project"), is granted with conditions.

This Intent-to Serve-letter is limited to the Project as described above.

This Intent-to-Serve Letter shall be effective upon Owner's signature below. The Applicant must return a signed copy of the Intent-to-Serve Letter within thirty (30) days of issuance.

The following conditions must be satisfied prior to the District issuing a Will Serve Letter:

GENERAL CONDITIONS

- Each new parcel shall be served by a single appropriately sized meter and backflow assembly for indoor use.
- Each new parcel shall be served by a single appropriately sized fire service and backflow assembly as required by CAL FIRE of SLO County. CAL FIRE of SLO County must approve the development plans prior to District approval. Fire service capacity charges will be applicable.
- Up to four 1-inch irrigation meters will be allowed for the common area lot. Recorded Covenants, Conditions, and Restrictions (CC&R's), acceptable to the District, will be required to include provisions for a single legal entity that will be responsible for payment of all costs related to common parcel irrigation meters.
- Applicant shall install a water main, in accordance with District standards, in Mary Street to serve the project.

- Applicant shall install a gravity sewer system, in accordance with District standards, in Mary Street.
- A sewer and water master plan review of project impacts will be required. At a minimum, the applicant shall install a replacement sewer collection line in Juniper Street along the entire frontage of the project along Juniper Street. The applicant may be required to install a replacement sewer line in Juniper Street from the east side of Mary Street to the junction of Juniper Street with Frontage Road.
- Project shall obtain solid waste, sewer and water service for all parcels.
- Record a restriction, subject to District approval, on the property prohibiting the use of well(s) to provide water service to any parcel within the Project.
- Properly abandon any existing groundwater wells and provide documentation to District.
- Record a restriction, subject to District approval, on all parcels prohibiting use of self-regenerating water softeners.
- Comply with District water conservation program.
- Pay all appropriate District fees associated with this development. The estimated fee deposit for the project is \$1,125,062 based on the current District fee schedule.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval.
- Enter into a Plan Check and Inspection Agreement and provide a deposit.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval. Applicant shall provide plans consistent with current District Standards and based on the proposed lot configuration.
- Any easements required for water and sewer improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.
- Any easements required for private water and sewer laterals shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All water and sewer improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name.
- A Will-Serve letter for the Project will be issued after improvement plans are approved and signed by the District.
- Applicant shall make a non-refundable deposit ("Deposit") at the time the District issues a Will Serve Letter in an amount equal to the then calculated Fees for Connection.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- Construct the improvements required and submit the following:
 - Reproducible "As Built" - A mylar copy and digital format disk (AutoCAD) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - Summary of all water and sewer improvement costs
 - Copy of recorded Covenants, Conditions, and Restrictions (CC&R's), acceptable to the District, that include provisions for a single legal entity that will be responsible for payment of all costs related to common parcel irrigation meters.

CONDITIONS TO SETTING WATER METERS

- Solid waste collection services are mandatory. Applicant shall provide proof that the Project is provided with solid waste removal services in accordance with District regulations.

- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo, the District's acceptance of improvements to be dedicated to the District, if applicable, and the final payment of all charges and fees owed to the District.

AUTOMATIC TERMINATION

- This letter is void if land use is other than commercial use as defined by the District.
- Intent-to-Serve letters shall automatically terminate on the first to occur:
 - Failure of the Applicant to provide District with written verification that County application for the Project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
 - Three (3) years, from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
 - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
 - Applicant provides proof of reasonable due diligence in processing the Project.
 - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- The District reserves the right to revoke this "Intent-to-Serve letter at any time.
- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

If you have any questions, please call.

Very truly yours,

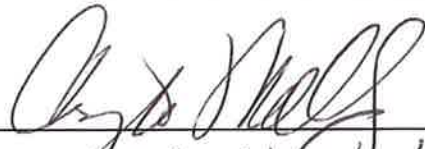
NIPOMO COMMUNITY SERVICES DISTRICT



Michael S. LeBrun, P.E.
General Manager

I, Craig Mally, have read the foregoing Intent-to-Serve Letter for water, sewer and solid waste service for APNs 092-572-015 and 092-572-025, and by my signature below, agree to the conditions contained herein.

Date: 6-9-15

Owner 
CRAIG A. MALLY (et al)
Print Name (Owner)

I, John L. Mussell, have read the foregoing Intent-to-Serve Letter for water, sewer and solid waste service for APN 092-572-045 and by my signature below, agree to the conditions contained herein.

Date: June 30, 2015

Owner: John L. Mussell, trustee

The John L. Mussell Revocable Trust

Print Name (Owner)