

CITY of CARPINTERIA, CALIFORNIA



December 16, 2022

499 Linden Manager, LLC
Mr. R. W. Hollis, Jr
1072 Casitas Pass Road 172
Carpinteria, CA 93013

Re: LDDA Schedule of Performance

Dear Mr. Hollis,

The City is in receipt of your letter dated November 29, 2022 in response to the City's prior correspondence with you on February 26, 2022. In your letter, you ask for concurrence and confirmation that the Schedule of Performance, included as Attachment No. 6 to the Lease Disposition and Development Agreement (LDDA) dated July 19, 2021, has been extended due to the Ballot Measure as defined in the LDDA.

The City Manager, along with the City Attorney, has reviewed the terms of the LDDA and acknowledges that the qualifying Ballot Measure known as Measure T2022, if successful, would have changed the zoning and or the General Plan designation of the Project site. Consequently, the City acknowledges that the deadlines defined in the Schedule of Performance were suspended, in accordance with the LDDA, from the filing of the notice of petition for Measure T2022 on June 4, 2022 until certification of the election results for Measure T2022.

Measure T2022 did not pass. The outcome of the Ballot Measure was finally determined by the certification of the results of the November 8, 2022 General Election by the Carpinteria City Council on December 12, 2022. The Schedule of Performance thus resumed on December 13, 2022. Therefore, the deadline to submit a Project Application for City Development review pursuant to the Schedule of Performance is March 13, 2022.

Respectfully,

Dave Durlinger
City Manager

cc. Jena Acos, City Attorney
Mack Carlton, City Attorney
Matt Roberts, Parks, Recreation and Public Facilities Director
Michael Ramirez, Assistant City Manager