



HISTORIC ROOTS, BRIGHT FUTURE...

499 Linden Managers, LLC

March 13, 2023

Via E-Mail

City of Carpinteria
Matthew Roberts
Director of Parks, Recreation and Public Facilities
5775 Carpinteria Avenue
Carpinteria, CA 93013

Re: Schedule of Performance Amendment
Lease Disposition and Development Agreement, dated July 19, 2021

Dear Mr. Roberts,

499 Linden Managers (“The Surfliner”) propose the schedule of performance be amended to allow an additional six (6) months to submit Project Application for City Development Review pursuant to Section 303 of the Lease Disposition and Development Agreement, dated July 19, 2021 (the “Development Agreement”).

The following are some of the reasons this time extension is being requested.

1. **2022 Ballot Measure** The qualifying Ballot Measure known as Measure T2022 (“Measure T”) forced the suspension of the various studies and plans required for the City Development application.
2. **Timing** The Carpinteria City Council certified the November 8, 2022, General Election result of the defeat of Measure T on December 12, 2022. This left insufficient time for our team to resume work due to the end of the year holiday season.
3. **Studies & Plans Needed** We requested the Right of Entry Agreement be entered into in accordance with the terms of the Development Agreement, on December 7, 2022. The Right of Entry Agreement was signed by the City on February 15, 2023. This left our team and subcontractors insufficient time necessary to conduct various investigations (e.g., geotechnical) and prepare detailed improvement plans for our permit application.
4. **Design Revisions** To accommodate the Carpinteria City Council’s comments in granting approval of the Proposed Improvement Plans in accordance with Section 302.3 of the Development Agreement, we have diligently worked to revise our project plans. Those revisions will be presented once the various studies and designs are completed as required by the Development Agreement.

Considering these reasons, we believe a six (6) month extension of the time to submit the Project Application for City Development review is warranted.

Please let us know should you have any questions.

Thank you,

499 Linden Managers, LLC



By: _____

R. W. ("Whitt") Hollis, Jr.

Its: Manager



By: _____

Jeff Theimer

Its: Manager

Via Email:

CC: Brownstein Hyatt Farber Schreck, LLP, Attention: Jena Acos
Eisner, LLP, Attention: Sam Zodeh, Esq.