

**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN
CONFORMED COPY TO:**

Sonoma County Water Agency
404 Aviation Blvd.
Santa Rosa, CA 95403-9019

|
|
|
|
|
|

Space above this line reserved for Recorder's use

TW 19/20-052

DRAFT Limited Purpose Facilities and Reimbursement Agreement
between the Albert W. Wilford and Barbara W. Wilford Trust
and Karen S. Ingalls and John Stephen Scott, co-trustees of the Bypass Trust
Created under the Robert and Kathleen Scott Family Trust; and the Sonoma
County Water Agency

This Agreement is between Sonoma County Water Agency ("Sonoma Water"), a body corporate and politic of the State of California (hereinafter "Sonoma Water") on behalf of Airport/Larkfield/Wikiup Sanitation Zone; and the Albert W. Wilford and Barbara W. Wilford Trust, owner(s) of real property referred to as 35 Ramsgate Court, Santa Rosa, California; and Karen S. Ingalls and John Stephen Scott, co-trustees of the Bypass Trust Created Under The Robert and Kathleen Scott Family Trust, owner(s) of real property referred to as 62 Ramsgate Court, Santa Rosa, California, (hereinafter "Owners").

RECITALS

- A. Owners requested Sonoma Water to provide sewer service to the parcels referred to as 35 Ramsgate Court, Santa Rosa, Ca 95403, identified as Assessor's Parcel Number (APN) 058-171-002; and 62 Ramsgate Court, Santa Rosa, Ca 95403, identified as Assessor's Parcel Number (APN) 058-171-008.
- B. Owners have incurred a cost of \$207,922 to construct approximately 400 feet of sewer extension and other appurtenances (hereinafter "Sewer Extension") to provide sewer service to the parcels.
- C. Owners have requested reimbursement of the amount of \$138,616 for providing the Sewer Extension in the event other property owners request to connect to the Sewer Extension.
- D. Sonoma Water has verified four (4) parcels located in the service area but not served by Sonoma Water, identified as APNs 058-171-003, 058-171-009, 058-171-010, 058-171-011, whose current or future owners (hereinafter "Potential Users") may request to be served by Sonoma Water and connect to the Sewer Extension.
- E. The Potential User(s) will be required to pay \$34,654 each to Sonoma Water for their respective shares of the cost of the Sewer Extension upon connection.

- F. Pursuant to Resolution No. _____, the Sonoma County Water Agency Board of Directors has determined the Sewer Extension to be Limited Purpose Facility.
- G. Sonoma Water Ordinance 28, Section 3.29, allows Sonoma Water to reimburse property owners for financing construction of a Limited Purpose Facility.

AGREEMENT

Sonoma Water and Owners agree as follows:

1. RECITALS

- A. The above recitals are true and correct.

2. OWNER’S RESPONSIBILITIES

- A. Owners agree to comply with the terms of this Agreement, and shall be subject to all applicable Sonoma Water ordinances, fees, and regulations.
- B. Owners at their own expense shall record with the Sonoma County Recorder’s Office this Limited Purpose Facilities and Reimbursement Agreement against Potential Users’ parcels so that current and future owners of the Potential Users’ parcels will be notified of the one-time reimbursement charge for sewer service.

3. SONOMA WATER’S RESPONSIBILITIES

- A. Prior to approving any connection by a Potential User for sewer service, Sonoma Water shall require the Potential User to pay to Sonoma Water in addition to all other fees and charges, a reimbursement charge of \$34,654 (reimbursement amount). This charge is based on the following breakdown of APNs that could potentially connect to the Sewer Extension:

APN	Address
058-171-003	53 Ramsgate Ct
058-171-009	42 Ramsgate Ct
058-171-010	22 Ramsgate Ct
058-171-011	4635 Old Redwood Hwy

- B. Sonoma Water shall pay the reimbursement charge to the Owners or Owners’ assigns or successors within 60 calendar days of receipt of payment from Potential User. Owners will each receive 50 percent of any reimbursement received.
- C. Owners may, at any time, assign rights and interests created under this Agreement, and the Agreement will be binding upon and inure to the benefit of the assignees, heirs, successors, executors, and legal representatives of Owners. Notice of assignment shall be given to Sonoma Water within thirty (30) days of assignment. Assignment is not effective until notice is received by Sonoma Water.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as set forth below.

Reviewed as to funds:

TW 19/20-052

By: _____
Sonoma County Water Agency
Division Manager - Administrative Services

Approved as to form:

By: _____
Adam Brand, Deputy County Counsel

Sonoma County Water Agency

Albert W. Wilford and Barbara W. Wilford Trust

By: _____
Grant Davis
General Manager
Authorized per Sonoma County Water Agency's Board of Directors Action on February 4, 2020

By: _____

(Please print name here)

Title: _____

Date: _____

Date: _____

Bypass Trust Created Under The Robert and Kathleen Scott Family Trust

By: _____

(Please print name here)

Title: _____

Date: _____