



OFFICE OF THE COUNTY COUNSEL

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DONNA R. ZIEGLER
COUNTY COUNSEL

January 12, 2012

Mr. Sirjit Sandhu
2216 Parnassus Court
Hayward, CA 94542

Re: Tract 6102, Hayward

Dear Mr. Sandhu:

This will serve to follow up on our correspondence to you of October 17, 2011. Our understanding is that you have been acting on behalf of the HOA for Tract 6102. If we should direct this correspondence to someone else, please let us know as soon as possible.

To date, we have not received a response from you or anyone else associated with the Tract 6102 HOA regarding the issues raised in our previous correspondence. As you know, the County has reached a settlement with Financial Pacific regarding development improvements at Tract 6102, however, several items remain outstanding and the County seeks to address these with the HOA directly, as soon as possible.

Each of the following items is either required as a condition of approval or as part of a separate agreement. As such, the County seeks cooperation and compliance from the HOA in complying with these requirements. Please respond within 20 days of the date of this letter setting forth the HOA's plan for addressing the following issues without further delay:

Landscaping

Landscaping is required as set forth in the conditions of approval numbers 8 and 9 for Tract 6102 adopted by the County on December 5, 1990. The conditions of approval were enclosed with our previous correspondence. Please submit a landscaping plan by March 1, 2012 which is consistent with the conditions of approval. The County expects the landscaping to be installed by September 1, 2012.

Perimeter Fence

A perimeter fence is also required pursuant to the above referenced conditions of approval number 9. The County requests that the HOA have the fence installed as soon as possible. Please submit the plan for perimeter fencing installation by March 1, 2012. The County expects the perimeter fence to be installed by September 1, 2012.

Pump Station and Detention Basin Maintenance

The Tract 6102 common areas include a pump station and water detention basin both of which are important components of the storm drainage system as set forth in the conditions of approval, number 4. Please provide, by March 1, 2012, the HOA's plan for ongoing maintenance of the pump station and water detention basin including the fencing and landscaping around both. Pump Station maintenance should include an on call service contract with a mechanic to maintain the station and to respond to emergencies if loss of power or pump failure occurs. The information to be provided by March 1 should include an update regarding pump station and water detention basin maintenance and the identity of your on call service contractor for the pump station.

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Jelincic Easements

The Tract 6102 Developer granted temporary access easements to the Jelincic Parcel owners pursuant to an Easement Agreement executed on January 30, 2004. We remind you that these temporary access rights are to become permanent upon the Board of Supervisors' acceptance of the dedication of Jelincic Drive. The HOA is to execute the easement deeds and deliver them as set forth in the Easement Agreement. Please confirm, by March 1, 2012, that the HOA will proceed with fulfilling this obligation at the appointed time.

In addition, Judd Jelincic requests access rights throughout the development for future development. The requested access rights are shown on the attached map and are shaded in blue. If you are willing to grant Mr. Jelincic access as described in the attachment, please include this grant in the easement deeds discussed earlier in this section and please let us know by March 1, 2012 if the HOA will grant the requested access.

CC&Rs

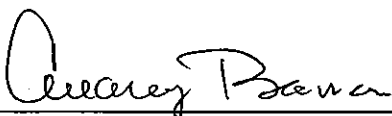
Please confirm, by March 1, 2012, that the CC&Rs for Tract 6102 include all of the language required in the conditions of approval. The CC&Rs must include the language specifically called for in condition number 12, which was provided with our previous correspondence. Please provide proof, by March 1, 2012, that the CC&Rs are in compliance with the conditions of approval.

We look forward to working with you and your members as development in Tract 6102 continues.

Please contact the undersigned if you have any questions regarding this matter.

Very truly yours,

DONNA R. ZIEGLER
County Counsel

By 
Audrey A. Beaman
Deputy County Counsel

AAB/di:
Enclosure

cc: William Lepere, ACPWA (via QIC mail)
Joseph McGowan, Esq.
Ronald Peck, Esq.