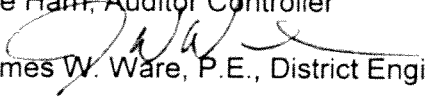




COUNTY OF EL DORADO
DEPARTMENT OF TRANSPORTATION
INTEROFFICE MEMORANDUM



Date: April 5, 2010
To: Joe Harn, Auditor Controller
From:  James W. Ware, P.E., District Engineer / Director of Transportation
Subject: Promontory Specific Plan CFD 2001-1
Verification Letter
Project: Beatty Drive improvements

This memo verifies that the following Acquisition Report has been prepared pursuant to the County "Guidelines for Special District Acquisition Projects" ("Guidelines"), and is submitted for the purpose of cost reimbursement from the Promontory Specific Plan Community Facility District (2001-1).

I hereby state to the best of my knowledge, information and belief, and based upon the information provided by AKT Promontory, LLC that:

- 1) AKT Promontory, LLC has complied substantially with the current requirements of the program as discussed in this document; and,
- 2) The Beatty Drive improvements; Constructed under contract with Doug Veerkamp Engineering, license #772589, and designed by Wood Rodgers Engineering; is eligible for reimbursement from the CFD.
- 3) The improvements have not yet been accepted by the County Board of Supervisors; the process of acceptance is ongoing and is expected to be complete in June or July of 2010. This action is not a requirement for CFD reimbursement according to the Guidelines, but is usually accomplished before the CFD reimbursement is recommended. Even though the procedural acceptance has not been completed, the roadway has been in use by the public since October 16, 2006 and the notice of completion was recorded on February 5, 2007. DOT staff feels comfortable recommending the amounts below, as the immediate reimbursement will be a small portion of the estimated maximum reimbursable construction and soft costs for this project. The remaining amount will not be able to be reimbursed to the Developer until after completion of a Final acquisition report AND after the completion of an additional sale of CFD bonds, either of which would occur after acceptance of the roadway has been completed.
- 4) The recommended INTERIM reimbursement amount to be paid from CFD 2001-1 Bond funds is \$2,898,706.16. Of this amount, \$5,774.59 is currently available in the CFD 2001-1, series 2005 acquisition account, and \$630,699.16 is currently available in the CFD 2001-1 facilities account. The remaining interim amount of \$2,262,232.41 could be eligible for reimbursement from funds made available from future bonds sold pursuant to the Acquisition and Disclosure Agreement for Mello Roos CFD 2001-1.