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NICHOLAS S. AVDIS

February 1, 2008

Rusty Dupray
Chairman, Board of Supervisors
County of El Dorado
330 Fair Lane
Placerville, CA 95667

Re: Bass Lake Estate Subdivision
Board Agenda – February 5, 2008

Dear Chairman Dupray:

This letter is sent on behalf of our client, Bill Scott of Silver Springs LLC, the owners and developers of the Silver Springs Subdivision, which shares frontage on Bass Lake Road with the Bass Lake Estates Subdivision. We have no objection to the approval of the Bass Lake Estates project, but formally request a condition to be imposed on the Bass Lake Estates Subdivision based on the discussion below.

The Silver Springs Subdivision was approved a number of years ago with the condition to construct frontage improvements on Bass Lake Road on the same reach of road as conditions now being proposed for the Bass Lake Estates subdivision. The proposed condition reflects the fact that a reconstruction of this stretch of road has already been designed by my clients. Since the conditions are so similar it is logical that the projects should share the cost of constructing the roadway and we do not believe anyone disputes this approach. However, we are concerned that this is not reflected in any of the documentation for the project.

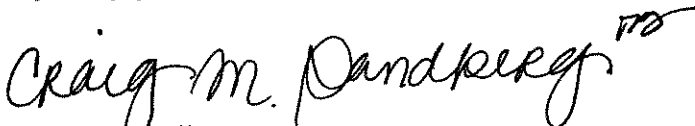
There has been dialogue between our client and the developer of the Bass Lake Estates project including the preparation of a draft Cost Sharing Agreement, but at this point no agreement has been reached. Without such an agreement in place, the map for the project should not be approved without a reimbursement obligation reflected in the conditions of approval. Without such a condition or a recorded agreement, a subsequent purchaser of the Bass Lake Estates property would not be on notice of the reimbursement obligation. This could cause a tremendous amount of confusion and would be grossly unfair to both parties as a vehicle for a constructing party to be reimbursed would not be in place.

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Our most recent proposal to the developer is that each party will be responsible for the cost of improvements which are directly related to their respective project, such as, frontage improvements (curb, gutter and sidewalk) and accel/decal and turn lanes at project access points. The shared cost would relate to the cost of those improvements installed from curb face to curb face. We believe this is very fair approach. Attached is a draft condition that we feel could be included in the project approvals that will provide the appropriate record of this arrangement. Ideally we will have finalized a Cost Sharing Agreement prior to the recording of a final map, but if it is not, the parties' intent will be reflected in the approvals for the project.

Thanks you for you attention to this matter. We will be available at the hearing to answer any questions you or the members of the Board of Supervisors may have.

Very truly yours,


Craig M. Sandberg

CMS/tb
cc: Jim Ware
Gene Thorne
Client

Bass Lake Estates Subdivision

Add to the end of Condition 14, as numbered in the Planning Commission minutes for January 10, 2008:

The applicant shall enter into a reimbursement or cost sharing agreement with the owner/developer of the Silver Springs Subdivision providing that the cost of the improvements to Bass Lake Road be shared on a 50/50 basis, and that the party actually constructing the improvements shall be reimbursed by the non-constructing party at the time that the non-constructing party seeks the recording of a final map. Should such an agreement not be in place and recorded on the subdivision property prior to the recording of a final map, and the improvements to Bass Lake Road have been constructed, or are being constructed by the Silver Springs developer, the applicant shall, as a condition to recording a final map, pay a pro-rata share of the cost of the improvements. Evidence of such payment, or the arrangement for such payment upon the recording of the final map, shall be presented as part of the filing for a final map. For the purposes of this condition the improvement costs to be shared shall be those from curb to curb and shall not include the cost of frontage improvements (curb, gutter and sidewalk) or improvements designed to serve only one of the projects, such as turn lanes at the entrances. The cost of construction shall be deemed to include all costs associated with construction of the improvements including design, engineering, permitting, environmental review, surveying, staking, inspections and physical construction.