

EXHIBIT 12-A



MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (831) 658-5601
FAX (831) 644-9558 • http://www/mpwmd.dst.ca.us

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AUG 4 2004

MPWMD

APPLICATION FOR WATER CREDIT TRANSFER
Commercial-to-Public Transfer

Please PRINT OR TYPE all information. Please submit the following items with this form: (1) processing fees (\$250 for less than 1/2 acre-foot, \$500 for 1/2 - 1 acre-foot, and \$750 for more than 1 acre-foot); (2) proof of water credit availability (documented Water Use Credit by the District); (3) written approval of governing body of the jurisdiction to transfer credits; (4) written acknowledgment and authorization of credit holder to transfer credit and record deed restriction limiting future uses on originating property. The District will provide the property owner with the appropriate document for recording after this application is received. The recorded document must be received by the District prior to completing the transfer of credit.

PART 1-GENERAL INFORMATION

Applicant Name Redevelopment Agency of the City of Seaside Daytime Phone (831) 899-6728
Agent Name Jill Anderson, Acting City Manager Daytime Phone (831) 899-6702
Agent's Mailing Address 440 Harcourt Avenue, Seaside, CA 93955

PART 2-RECEIVING PROPERTY

Name of Business City of Seaside
Receiving Property's Address 440 Harcourt Avenue City Seaside
Assessor's Parcel Number - - -
Property Owner(s) of Record (as shown on the recorded title to the property) Redevelopment Agency of the City of Seaside
Please explain the applicant's involvement in the business Property owner

PART 3-PROPERTY TRANSFERRING THE CREDIT

Name of Business (if applicable) Redevelopment Agency of the City of Seaside
Property Address 866 - 890 Broadway Avenue City Seaside
Assessor's Parcel Number 011 - 293 - 002
Property Owner(s) of Record (as shown on the recorded title to the property) Redevelopment Agency of the City of Seaside
Amount of Credit to be Transferred 2.205 2.1657 Expiration of Credit December 27, 2004

Remaining Water Uses on the Site. Include names of all businesses and square-footage of all lease spaces. Include all water fixtures in residential units (i.e. toilets, wash basins, bathtubs, etc.) NONE

APPLICATION FOR WATER CREDIT TRANSFER

Commercial-to-Jurisdiction Transfer

Additional Property Information

1. List all businesses that have operated on the site since 1985 and provide dates: De1 Rey Theatre, Dorothy's House of Beauty, Lee's Beauty Salon, American Appliance Sales & Service, Amore, 30-Minute Photo, and Zoraida's Restaurant. All businesses ceased operation prior to demolition in 1994.

2. List all building permits issued since 1985. (Please provide date issued, permit number and description): Copies of all on record are attached.

3. Current Cal-Am account number(s): N/A - - - - -
- - - - -

4. Name(s) on Cal-Am account(s): N/A

5. Authorization to access water use records*.

Deed Restrictions prepared: Date _____

Recordation Date: _____

*Monterey Peninsula Water Management District will prepare Form 2.0 "Access to Water Use" Notice and Deed Restriction Provide Public Access to Water Use Data on the originating site; and, Form 2.1 "Receiving Sites and Donor Sites From A Water Use Credit Transfer" Notice and Deed Restriction Provide Public Access to Water Use Data for the receiving site. (The deed restriction process can take 4 to 6 weeks due to internal quality assurance review.)



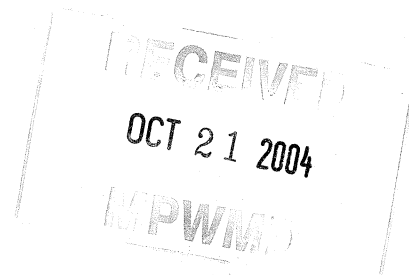
COMMUNITY DEVELOPMENT DEPARTMENT

440 Harcourt Avenue
Seaside, CA 93955

Telephone (831) 899-6737
FAX (831) 899-6211
TDD (831) 899-6207

October 18, 2004

Ms. Stephanie Pintar
Monterey Peninsula Water
Management District
P. O. Box 85
Monterey, CA 93942-0085



Subject: Water Credit Transfer From APN 011-293-002

Dear Ms. Pintar:

Thank you for the correspondence dated August 4, 2004 regarding the above-referenced matter. Upon review we determined that the proposed water credit transfer could not have a significant effect on the environment and is, therefore, exempt from the provisions of the California Environmental Quality Act (CEQA). Accordingly, we have prepared a Notice of Exemption (NOE) as required by CEQA Section 15062 and filed the document with the Monterey County Clerk. We have also posted the NOE in various locations throughout the City of Seaside. The NOE will remain posted for 30 days. I have enclosed a copy of the document for your records.

In addition, this correspondence serves to confirm that the City of Seaside formally approves of the commercial water credit transfer to the City's allocation. Please proceed with scheduling Monterey Peninsula Water Management Board review for the water credit transfer at your earliest possible convenience.

Thank you for your attention to this matter. Please contact me at (831) 899-6737 if you have any questions or require additional information.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Louis Dell'Angela".

Louis Dell'Angela
Director of Community
Development/Redevelopment

c: Les White, Interim City Manager
Jill Anderson, Assistant to the City Manager

SUBMITTED BY APPLICANT



CITY MANAGER

440 Harcourt Avenue
Seaside, CA 93955

Telephone (831) 899-6700
FAX (831) 899-6227
TDD (831) 899-6207

July 30, 2004

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AUG - 4 2004

MPWMD

Stephanie Pintar, Water Demand Manager
Monterey Peninsula Water
Management District
P. O. Box 85
Monterey, CA 93942-0085

RE: Authorization of Deed Restrictions – APN: 011-293-002

Dear Ms. Pintar:

The Redevelopment Agency of the City of Seaside (“Agency”) has filed an Application for Water Credit Transfer to the City of Seaside’s (“City”) water allocation. The Agency owns Assessor’s Parcel Number 011-293-002 (“Property”) which has 2.205 acre-feet of water credits.

The City hereby accepts the Agency’s water credit transfer and authorizes the Monterey Peninsula Water Management District (“MPWMD”) to record deed restrictions on subject property.

The Application for Water Credit Transfer, MPWMD Water Credit Use letter, and our check for processing fees in the amount of \$750.00 are enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel E. Keen".

Daniel E. Keen
City Manager

DEK:bc

Enclosures

SUBMITTED BY APPLICANT



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

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MAR 05 2003

Comm. Dev. Dept. Seaside

March 4, 2003

Mr. Jim Claypool
City of Seaside Redevelopment Agency
440 Harcourt Ave.
Seaside, CA 93955

Subject: Documentation of Credit for 866-890 Broadway Avenue. APN: 011-293-002-000

Dear Mr. Claypool:

In accordance with MPWMD Rule 25.5, the following uses were verified through documentation from the City of Seaside and by a site inspection by District staff in 1993. Credit is therefore available from the demolition of the mixed use commercial buildings at this site on December 27, 1994.

- Theater with 826 seats;
- 2 beauty salons with a total of 5 stations;
- General retail space of 1,000 square feet;
- Fast photo space of 300 square feet; and
- A 40-seat restaurant.

This Water Use Credit may be applied to future water use on that site at any time until December 27, 2004. After December 27, 2004, pursuant to District Rule 25.5, this Water Use Credit expires and the water savings represented by this credit revert to system-wide savings. Water Use Credit capacity values are currently determined using District Rule 24, Table II, Commercial Water Use Factors (attached). This table is subject to periodic revision by the District's Board of Directors.

The Water Use Credit documented in this letter is a final determination of the Water District's General Manager. Final determinations of the General Manager may be appealed to the District Board within twenty-one (21) days after any such determination pursuant to District Rule 70. For information about the appeal process, please contact the District office.

This form should be presented to the Water Management District to utilize the credit.

Sincerely,

Robert Cline
Conservation Representative

SUBMITTED BY APPLICANT



Monterey Peninsula Water Management District

DISCLOSURE STATEMENT
(EX PARTE COMMUNICATIONS)

Name or description of project, action, etc.: Water Credit Transfer From
APN 011-293-002

Names and addresses of all persons authorized to communicate with the Board of Directors on this matter:

Table with 2 columns: Name, Address. Rows include Louis Dell'Angela, Les White, and Jill Anderson, all with address 440 Harcourt Avenue, Seaside, CA 93955.

This Disclosure Statement is completed in my capacity as [X] the Applicant for matter referenced in the first line, or as [] an authorized Agent of the Applicant. My signature evidences I am duly authorized to act on behalf of all individuals and/or entities that have an ownership interest in this matter (exceptions shall be noted by checking this box [] and providing a complete explanation as an attachment to this Disclosure Statement).

I understand this Disclosure Statement is required to list the names and addresses of all persons authorized to communicate with the Directors of the Water Management District on this matter. I further understand and agree to revise and amend this Disclosure Statement whenever any other person is authorized to communicate regarding this matter. Oral disclosure of agents shall not satisfy this requirement.

I understand and agree that failure to disclose the name of individuals who shall communicate with the District Board Members on behalf of the applicant shall subject the matter referenced above to immediate review and denial. Further, I understand that if denial is based on failure of either the applicant or of an authorized agent of the applicant to comply with these disclosure requirements, no request for approval of an identical or similar matter shall be granted for a period of twenty-four (24) months from the date this matter is denied.

I declare the foregoing to be true and correct of my own personal knowledge. I have signed this form this 18th day of October, 2004. This form is signed in the City of Seaside, State of California.

Louis Dell'Angela
Name (print)

Signature

SUBMITTED BY APPLICANT