

*Item 3  
Submitted by staff  
at 3/29/12 committee  
meeting.*

Form 1.1 – Limitation of Use Special Fixtures (sample provided)

Form 1.4 – Limitation of Use 2<sup>nd</sup> Bathroom Protocol

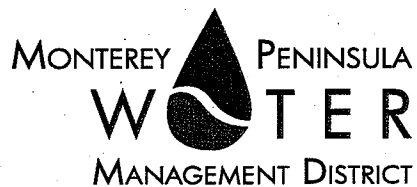
Form 2.2 – Public Access (sample provided)

Form 3.1 – Notice of Non-Compliance With Permit Requirements

Form 3.2 - Notice of Non-Compliance With Conservation Requirements (sample provided)

Form 3.1A – Notice of Compliance With Permit Requirements

Form 3.2A – Notice of Compliance With Conservation Requirements (sample provided)



**Recording Requested by:**  
Monterey Peninsula Water Management District

**And When Recorded Mail To:**  
Monterey Peninsula Water Management District  
Post Office Box 85  
Monterey, California 93942-0085

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**NOTICE AND DEED RESTRICTION  
REGARDING LIMITATION ON USE  
OF WATER ON A PROPERTY**

**NOTICE IS GIVEN** that the Monterey Peninsula Water Management District (hereinafter referred to as the Water Management District), duly formed as a water district and public entity pursuant to the provisions of law found at Statutes of 1977, Chapter 527, as amended (found at West's California Water Code Appendix, Chapters 118-1 to 118-901), has approved water service to the real property referenced below as "Subject Property."

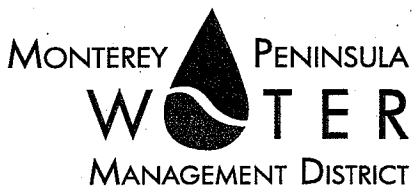
**NOTICE IS FURTHER GIVEN** that the real property affected by this document is situated in the City of <JURISDICTION>:

<PropertyAddress>  
{<LegalDescriptionOfProperty>}  
**ASSESSOR'S PARCEL NUMBER <ApnNum>**

This real property is hereinafter referred to as the "Subject Property." The Subject Property is located within the jurisdiction of the Water Management District. <PropertyOwnerNames>, (hereinafter referred to as "Owner(s)"), are record Owner(s) of the Subject Property.

Owner(s) and the Water Management District each acknowledge and agree that the installation and maintenance of <one> **High Efficiency Dishwasher with no wash cycle capable of using greater than 5.8 gallons of water**, <one> **High Efficiency Clothes Washer manufactured with a Water Factor of 5.0 or less**, <one> **High Efficiency Toilet (1.3 gallons maximum average flush)**, and an **Instant-Access Hot Water System capable of supplying hot water at any access point throughout <the or each> structure within ten seconds** are permanent requirements of the Subject Property. Owner(s) and the Water Management District further agree that the maximum permitted water use at the Subject Property is limited to supply the Potable water requirements for <TYPE OF DWELLING> consisting of:

- <TypeOfUse>
- **Reasonable outdoor water use as needed and as allowed by District rules. Automated Irrigation Systems shall be retrofitted to include a Rain Sensor.**



No water use fixtures other than those listed above have been approved or authorized for use on the Subject Property.

Owner(s) acknowledges that the installation and maintenance of the Low Water Use Plumbing Fixtures and the limitation on the water use fixtures referenced above have been voluntarily accepted as a condition of Water Permit No. <Permit No>, and acknowledges that this restriction is permanent and irrevocable, unless amended by the filing of a less restrictive deed restriction.

**NOTICE IS FURTHER GIVEN** that this agreement is binding and has been voluntarily entered into by Owner(s), and each of them, and constitutes a mandatory condition precedent to receipt of regulatory approval from the Water Management District relating to the Subject Property. This agreement attaches to the land and shall bind any tenant, successor or assignee of Owner(s).

**NOTICE IS FURTHER GIVEN** that present and/or future use of water at the Subject Property site is restricted by Water Management District Rules and Regulations to the water use requirements referenced above. Any Intensification of Use on the Subject Property, as defined by Water Management District Rule 11, or any change in the quantity or type of water fixtures listed above, will require prior written authorization and Permit from the Water Management District. Approval may be withheld by the Water Management District, in accord with then applicable provisions of law. Present or future Allocations of water may not be available to grant any Permit to Intensify Water Use at this site. If any request to Intensify Water Use on the Subject Property is approved, Connection Charges and other administrative fees may be required as a condition of approval.

**NOTICE IS FURTHER GIVEN** that modification or Intensification of Water Use on the Subject Property that occurs without the advance written approval of the Water Management District is a violation of Water Management District Rules and may result in a monetary penalty for each offense as allowed by Water Management District Rules. Each separate day, or portion thereof, during which any violation occurs or continues without a good faith effort by the Responsible Party to correct the violation shall be deemed to constitute a separate offense. All Water Users within the jurisdiction of the Water Management District are subject to the Water Management District Rules, including Rules 11, 20, 21, 23, 24, and 148.

The Owner(s) and the Water Management District each intend that this Notice and Deed Restriction act as a deed restriction upon the Subject Property, and that it shall be irrevocable under its terms. This document shall be enforceable by the Water Management District or any public entity that is a successor to the Water Management District.

The Owner(s) elects and irrevocably covenants with the Water Management District to abide by the conditions of this Notice and Deed Restriction to enable issuance of Water Permit No. <Permit No>. But for the limitations and notices set forth herein, approval of this Water Permit would otherwise be withheld and found to be inconsistent with the Water Management District Rules and Regulations.



This Notice and Deed Restriction is placed upon the Subject Property. Any transfer of this property, or an interest therein, is subject to this deed restriction. This Notice and Deed Restriction shall have no termination date unless amended by the filing of a less restrictive deed restriction.

If any provision of this Notice and Deed Restriction is held to be invalid, or for any reason becomes unenforceable, no other provision shall thereby be affected or impaired.

The undersigned Owner(s) agrees with and accepts all terms of this document stated above, and requests and consents to recordation of this Notice and Deed Restriction Regarding Limitation on Use of Water on a Property. The Owner(s) further agrees to notify any present and future tenant of the Subject Property of the terms and conditions of this document.

**OWNER(S) agrees to recordation of this Notice and Deed Restriction in the Recorder's Office for the County of Monterey. Owner(s) further unconditionally accepts the terms and conditions stated above.**

*(Signatures must be notarized)*

By: \_\_\_\_\_  
<OwnersSeparateLines>

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
**Gabriela Ayala, Conservation Representative**  
**Monterey Peninsula Water Management District**

Dated: \_\_\_\_\_



**Recording Requested by:**

Monterey Peninsula Water Management District

**And When Recorded Mail To:**

Monterey Peninsula Water Management District  
Post Office Box 85  
Monterey, California 93942-0085

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**NOTICE AND DEED RESTRICTION  
PROVIDE PUBLIC ACCESS TO  
WATER USE DATA**

**NOTICE IS GIVEN** that the Monterey Peninsula Water Management District (hereinafter referred to as the Water Management District), duly formed as a water district and public entity pursuant to the provisions of law found at Statutes of 1977, Chapter 527, as amended (found at West's California Water Code Appendix, Chapters 118-1 to 118-901), has approved water service to the real property referenced below as "Subject Property."

**NOTICE IS FURTHER GIVEN** that the real property affected by this agreement is situated in the City of <JURISDICTION>:

<PROPERTYADDRESS>  
{<LegalDescriptionOfProperty>}  
**ASSESSOR'S PARCEL NUMBER** <ApnNum>

This real property is hereinafter referred to as the "Subject Property." The Subject Property is located within the jurisdiction of the Water Management District. <PropertyOwnerNames>, (hereinafter referred to as "Owner(s)"), are record Owner(s) of the Subject Property.

**NOTICE IS FURTHER GIVEN** that Owner(s), and each of them, irrevocably grant to the Water Management District, the right to access and disseminate to the public-at-large any and all information relating to delivery and/or use of water from any and all sources, including but not limited to private Wells, municipal systems and/or Public Utilities such as the California-American Water Company on the Subject Property.

**NOTICE IS FURTHER GIVEN** that all water use data relating to delivery and/or use of water on the Subject Property shall be publicly disclosed for the time period from <WDiscloseStartDate> and ending on <WDiscloseEndDate>.

**NOTICE IS FURTHER GIVEN** that this agreement is binding and has been voluntarily entered into by Owner(s), and each of them, and constitutes a mandatory condition precedent to receipt of regulatory approval from the Water Management District relating to the Subject Property. This agreement attaches to the land and shall bind any tenant, successor or assignee of Owner(s). The agreement to release water use data shall bind future property owners and/or tenants to the same



extent it binds the current Owner(s) and each is deemed to have waived any right to privacy to the release of this data for the duration of this restriction.

The Owner(s) and the Water Management District each intend that this Notice and Deed Restriction act as a deed restriction upon the Subject Property, and that it shall be irrevocable during all times that water use data are disclosable under its terms. This document shall be enforceable by the Water Management District or any public entity that is a successor to the Water Management District.

The Owner(s) elects and irrevocably covenants with the Water Management District to abide by the conditions of this Notice and Deed Restriction to enable issuance of Water Permit No. **<Permit No>**. But for the limitations and notices set forth herein, approval of this Water Permit would otherwise be withheld and found to be inconsistent with the Water Management District Rules and Regulations.

This Notice and Deed Restriction is placed upon the Subject Property. Any transfer of this property, or an interest therein, is subject to its terms.

If any provision of this Notice and Deed Restriction is held to be invalid, or for any reason becomes unenforceable, no other provision shall thereby be affected or impaired.

The undersigned Owner(s) agrees with and accepts all terms of this document stated above, and requests and consents to recordation of this Notice and Deed Restriction Provide Public Access to Water Use Data. The Owner(s) further agrees to notify any present and future tenant of the Subject Property of the terms and conditions of this document.

**OWNER(S) agrees to recordation of this Notice and Deed Restriction in the Recorder's Office for the County of Monterey. Owner(s) further unconditionally accepts the terms and conditions stated above.**

*(Signatures must be notarized)*

By: \_\_\_\_\_  
**<OwnersSeparateLines>**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
**Gabriela Ayala, Conservation Representative  
Monterey Peninsula Water Management District**

Dated: \_\_\_\_\_



**Recording Requested by:**  
Monterey Peninsula Water Management District

**And When Recorded Mail To:**  
Monterey Peninsula Water Management District  
Post Office Box 85  
Monterey, California 93942-0085

***Recording Fee Exempt Section 27383 Gov Code***

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***NOTICE OF NON-COMPLIANCE  
WITH WATER CONSERVATION REQUIREMENTS***

**NOTICE IS GIVEN** that the Monterey Peninsula Water Management District (hereinafter referred to as the Water Management District), duly formed as a water district and public entity pursuant to the provisions of law found at Statutes of 1977, Chapter 527, as amended (found at West's California Water Code Appendix, Chapters 118-1 to 118-901), finds the real property referenced below as "Subject Property" to be in violation of Water Management District rules and regulations.

**NOTICE IS FURTHER GIVEN** that the real property affected by this Notice of Non-Compliance is situated in the City of <JURISDICTION>:

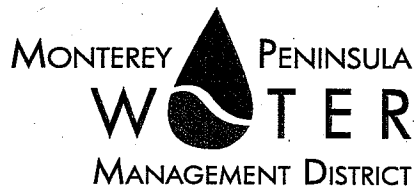
<PropertyAddress>  
{<LegalDescriptionOfProperty>}  
**ASSESSOR'S PARCEL NUMBER <ApnNum>**

This real property is hereinafter referred to as the "Subject Property." The Subject Property is located within the jurisdiction of the Water Management District. <PropertyOwnerNames> are record Owner(s) of the Subject Property.

**NOTICE IS FURTHER GIVEN** that based upon information obtained by the undersigned within the scope and course of his/her official duties and employment with the Water Management District, it has been determined that the Subject Property has not complied with Water Management District Regulation XIV and/or Regulation XV.

**NOTICE IS FURTHER GIVEN** that the Water Management District shall suspend processing of any application with respect to the Subject Property until such time as the violation has been corrected.

This document shall provide NOTICE of the defect referenced above.



This Notice shall act as a deed restriction upon the Subject Property, and shall be removed when the Subject Property has been deemed to have complied with Water Management District rules and regulations as determined by the General Manager. This document shall be enforceable by the Water Management District or any public entity that is a successor to the Water Management District. Evidence of compliance shall be shown by recordation of a subsequent Notice of Compliance which has been executed by a duly authorized representative of the Water Management District.

This Notice is placed upon the Subject Property. Any transfer of this property, or an interest therein, is subject to its terms.

If any provision of this Notice is held to be invalid, or for any reason becomes unenforceable, no other provision shall thereby be affected or impaired.

By: \_\_\_\_\_  
**Debbie Martin, Conservation Technician**  
**Monterey Peninsula Water Management District**

Dated: \_\_\_\_\_





**Recording Requested by:**  
Monterey Peninsula Water Management District

**When Recorded, Mail to:**  
Monterey Peninsula Water Management District  
Post Office Box 85  
Monterey, CA 93942-0085

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***NOTICE OF COMPLIANCE WITH WATER CONSERVATION REQUIREMENTS***

**NOTICE IS GIVEN** that the Monterey Peninsula Water Management District (hereinafter referred to as the Water Management District), duly formed as a water district and public entity pursuant to the provisions of law found at Statutes of 1977, Chapter 527, as amended (found at West's California Water Code Appendix, Chapters 118-1 to 118-901), finds the real property referenced below as "Subject Property" to be in compliance with the Water Management District rules and regulations.

**NOTICE IS FURTHER GIVEN** that the real property affected by this Notice of Compliance is situated in the City of **<JURISDICTION>**:

**<PropertyAddress>**  
**{<LegalDescriptionOfProperty>}**  
**ASSESSOR'S PARCEL NUMBER <ApnNum>**

This real property is hereinafter referred to as the "Subject Property." The Subject Property is located within the jurisdiction of the Water Management District. **<PropertyOwnerNames>**, are record owner(s) of the Subject Property.

**NOTICE IS FURTHER GIVEN** that based upon information obtained by the undersigned within the scope and course of his/her official duties and employment with the Water Management District, it has been determined that the Subject Property has complied with Water Management District Regulation XIV and/or Regulation XV. This document shall rescind, nullify and void the prior and specific **Notice of Non-Compliance With Water Conservation Requirements, Document <DOCNUM> recorded <RECORDEDDATE>**, on the Subject Property.

**By:** \_\_\_\_\_ **Dated:** \_\_\_\_\_  
**Debbie Martin, Conservation Technician**  
**Monterey Peninsula Water Management District**