

SANITARY DISTRICT NO. 5 OF MARIN COUNTY
2001 PARADISE DRIVE
P.O. BOX 227
TIBURON, CALIFORNIA 94920
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ROBIN DOHRMANN
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Date: June 16, 2022
Property Owner: Mallard Point 1951, LLC
Property Owner Address: 39 Forrest Street Mill Valley CA 94941
Applicant: Bruce Dorfman
BD@ThompsonDorfman.com
Project Name: Mallard Point Project Will Serve Request
Project Address: 1-22 Mallard Rd, Belvedere CA 94920
Project APN: APN 060-072-18, 060-072-27, 060-072-28

RE: Will Serve Letter

Dear Mr. Dorfman,

The purpose of this letter is to confirm that Sanitary District No. 5 of Marin County has determined that, at this time, based off the additional units (20) to be added to the current (22) per day (42 total units), the Districts Main WWTP has the ability to provide sanitary sewer service for the property located at 1-22 Mallard Drive, CA 94920. This letter only serves to notify you that sanitary sewer services are currently available to this property. This letter does not constitute preliminary or final approval of any proposed project until such time that building plans, approved by the City of Belvedere, have been submitted to the District for review and approval. Service will be granted subject to compliance with the District's regulations governing sanitary sewer service and any and all rates and charges, which may include sanitary sewer main extensions, and/or off-site pipeline improvements at the applicant's sole expense. Please note that private lateral connections to the District's Main are the sole responsibility of the property owner, at the property owner's cost, and the feasibility of such a connection is not addressed by this letter.

The terms and conditions of approval for this connection are as followed:

1. The applicant will be required to install the sanitary sewer improvements as specified in any District Conditions of Approval for the project established at the time of the application.
2. The applicant will be required to pay the appropriate connection and inspection fees, and shall be subject to all applicable rules and regulations of the District for compliance with Sewer Use Ordinance 2014-02 and its associated standard specifications
3. The current Mallard Pointe Subdivision sewerage system is privately owned and maintained. Clarify who will own and maintain each part of the proposed private sewer system and the commonly shared privately owned sewer main prior to

connection to the SD5 system, and what legal mechanism will be imposed on the homeowners for adequate maintenance of the private sewer system. Additionally, if the Project applicant intends to offer for dedication any portion of the private sewer system to the District, please provide draft conveyance documents as required by section 3.05.410 sanitary code. The District will have the sole discretion determining whether to offer any such dedications.

4. Final walkthrough of the property to determine total fixture count for calculating SD5 connection fees and payment of those connection fees.
5. Provision of sanitary sewer services to the property owner is contingent upon the development meeting the requirements of any governmental entity having jurisdiction over such development.
6. No Storm Water Discharge- Applicant shall adopt and implement a storm water mitigation plan so that there will be no storm water entering the District's system at any time.

Please be advised that, prior to connection, you must complete the District's permitting process and pay all required connection and inspection fees in full and also comply with all District standards and specifications.

The connection fees in Belvedere Zone are currently set at \$1278 per fixture unit.

By issuing this **Will-Serve Letter**, Sanitary District No.5 of Marin County is not incurring any liability of any nature, including but not limited to mandate, damages, or injunctive relief. SD5 is making no representation to the applicant nor waiving any rights it has under any applicable state or federal law. In the event there is any court imposed moratorium or a government agency imposes a moratorium on SD5 a connection to the District may not occur. Furthermore, in the event there is not sufficient capacity, a connection to the District may not occur. The property owner acknowledges that this letter does not constitute any guaranty that at the time of connection, sanitary sewer service will be available. All service pursuant to this letter is expressly conditioned with the District's rules and regulations as they may be amended from time to time.

If connection has not been made within three years the allocation will be terminated without prejudice and you will be able to re-apply for allocation. Please sign and date the original of this letter and return it to the District office within 30 days. The copy is for your records.

Sincerely,

 6/16/22

Tony Rubio

District Manager

AGREED:

Date: _____

Project Applicant

CC: Benjamin Stock, Legal Counsel- Burke Williams Sorenson LLP
John Carapiet, Board President
Joel Alvarez, SD5 Permits

