

EXHIBIT 15-D



**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>

Recording Requested by:

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

Stephen L. Vagnini
Monterey County Recorder
Recorded at the request of
Filer

RAUBREY
3/07/2003
8:19:41

DOCUMENT: **2003026447**



2003026447

Titles: 1/ Pages: 4

Fees....	17.00
Taxes...	
Other...	1.00
AMT PAID	\$18.00

**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 agreement is situated in the City of Pacific Grove:

**905 OCEAN VIEW BLVD, PACIFIC GROVE CA 93950-2251 C007
(PACIFIC GROVE BEACH LOT 1 BLK 258)
ASSESSOR'S PARCEL NUMBER 006-031-004-000**

This real property is hereinafter referred to as the "Subject Property." The Subject Property is located within the jurisdiction of the Water Management District. **McDannold Family Trust**, (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 maximum permitted water use at the Subject Property is limited to supply the potable water requirements for a **Single-family dwelling** consisting of:

- **1 bathtub (may have shower above)**
- **1 kitchen sink and dishwasher**
- **1 washing machine**
- **2 wash basins**
- **2 water closets, ULF, 1.6 gal.**
- **1 laundry/utility sink**
- **1 shower, separate stall**
- **Reasonable outdoor water use as needed and as allowed by District rules**

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 conditions requiring the installation and maintenance of the ultra-low flow fixtures and the limitation on water use fixtures referenced above have been voluntarily accepted as a condition of Water Permit No 20454 and is permanent and irrevocable, unless amended by the filing of a less restrictive deed restriction. Owner(s) further acknowledges that credit shall not be granted for removal or retrofit of any fixture added pursuant to the second bathroom accounting protocol allowed by Rule 24C and noted on the water permit.

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 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. Any intensification of water use on the Subject Property, as defined by Water Management District Rule 11, 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 Subject Property is approved, connection charges and other administrative fees may be required as a condition of approval.

NOTICE IS FURTHER GIVEN that in the event intensification of water use on Subject Property occurs without such an authorizing permit, any and all water use on this site may thereafter be revoked in accord with Water Management District Rules, which state, "Intensification of Water Use without a permit shall provide cause for revocation by the District of all water use by any person on that Site." Such revocation could cause the irrevocable extinction of any right or entitlement to water use, water use capacity, or water credit for the Subject Property.

NOTICE IS FURTHER GIVEN that intensification of water use on 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, 23, and 148.

The Owner(s) and 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.

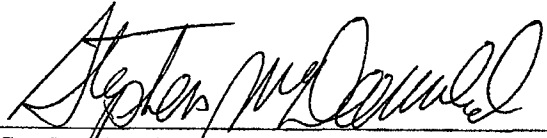
The Owner(s) elects and irrevocably covenants with the Water Management District to abide by the conditions of this Notice and Deed Restriction to enable issuance of Water Permit No. 20454. But for the limitations and notices set forth herein, issuance of this water permit would otherwise be withheld and found to be inconsistent with the Water Management District Rules and Regulations.

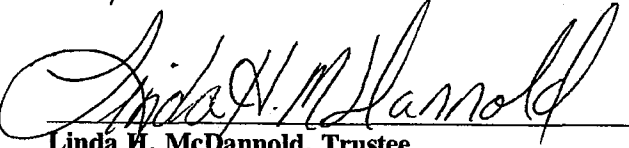
This Notice and Deed Restriction is placed upon the Subject Property. Any transfer of this property, or an interest therein, is subject to this deed restriction. This Notice and Deed Restriction shall have no termination date unless amended by the filing of a less restrictive deed restriction.

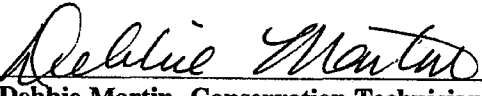
If any provision of this Notice and Deed Restriction is held to be invalid, or for any reason becomes unenforceable, no other provision shall thereby be affected or impaired.

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:  Dated: 2-21-03
Stephen J. McDannold, Trustee
McDannold Family Trust

By:  Dated: 2/21/03
Linda H. McDannold, Trustee
McDannold Family Trust

By:  Dated: 3/5/03
Debbie Martin, Conservation Technician
Monterey Peninsula Water Management District

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

State of California

County of Los Angeles

On 2/21/03 before me, Rachel R. Luna, Notary Public
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Stephen McDannold & Linda H. McDannold
NAME(S) OF SIGNER(S)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Rachel R. Luna
SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL
- CORPORATE OFFICER

TITLE(S)

- PARTNER(S) LIMITED
- GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

DESCRIPTION OF ATTACHED DOCUMENT

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

END OF DOCUMENT