


**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (831) 658-5601

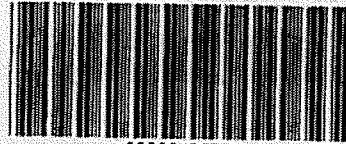
Recording Requested by: <http://www.mpwmd.dst.ca.us>

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

Joseph F. Pitta
Monterey County Recorder
Recorded at the request of
Filer

CRKATHLEEN
8/01/2000
14:41:58

DOCUMENT: **2000048957**



2000048957

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 HEREBY GIVEN that the real property situated in the County of Monterey:

**951 CORAL DRIVE {L3 B24/MONTEREY PENINSULA COUNTY CLUB 1}
ASSESSORS PARCEL NUMBER 007-254-005,**

hereinafter referred to as the "subject property," is located within the jurisdiction of the Monterey Peninsula Water Management District, a public agency formed and operating within 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. **Paul G. & Mary L. Filice**, (hereinafter referred to as Owner(s)), is the record owner(s) of the subject property. Owner(s) and the Monterey Peninsula Water Management District each acknowledge that the installation and maintenance of an ultra low-flow washing machine, manufactured with no wash cycle capable of using greater than 28 gallons of water, two-two liter maximum ultra low-flush toilets, two dishwashers with no complete wash cycle capable of using greater than 7.66 gallons of water, and an instant-access hot water system capable of supplying hot water at any access point within six seconds, are permanent requirements of the property. The permitted water use at the subject property is to supply the potable water requirements for a single-family dwelling consisting of:

- 3 ultra low-flush toilets (2:2 liter maximum, 1: 1.6 gallons-per-flush)
- 4 wash basins (2.2 gallons-per-minute maximum flow)
- 2 kitchen sinks (2.2 gallons-per-minute maximum flow) and two dishwashers (7.66 gallons maximum on all cycles)
- 1 washing machine (28 gallons maximum on all cycles)
- 2 shower stalls (2.5 gallons-per-minute maximum flow showerheads)
- 1 oversize bathtub (over 55 gallon overflow capacity, may have showerhead above)
- 1 standard bathtub (under 55 gallon overflow capacity, may have showerhead above)
- Reasonable outdoor water use as needed and as allowed by District Rules.

Owner(s) acknowledges that the condition requiring the installation and maintenance of the ultra-low flow appliances referenced above has been voluntarily accepted as a condition of Water Permit No. 18570 and is permanent and irrevocable, unless amended by the filing of a less restrictive deed restriction.

NOTICE IS FURTHER GIVEN that present and/or future use of water at the subject property site is restricted by Monterey Peninsula Water Management District Rules and Regulations to the water use requirements referenced above. Any intensification of water use on the subject property, as defined by District Rule 11, will require prior written authorization from the County of Monterey and prior written authorization and permits from the Monterey Peninsula Water Management District. Approval may be withheld by either the County or Water 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. Rule 11 defines intensification of water use as any change in water use occurring on a parcel which, in a residential use, is evidenced by an increase in the number of fixture units serving that parcel.

NOTICE IS FURTHER GIVEN that in the event intensification of water use on subject property occurs without such an authorizing permit, all water use on this site may thereafter be revoked in accord with Water Management District Rule 23, which states, "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 without the advance written approval of the Monterey Peninsula Water Management District is a violation of District Rules and may result in a maximum penalty of \$250 for each offense as allowed by District Rule 148. 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 Monterey Peninsula Water Management District are subject to the District Rules, including Rules 11, 23, and 148.

It is intended that this Notice and Deed Restriction act as a deed restriction upon the subject property, that it shall be irrevocable except upon the terms stated herein, and that its restrictions shall be enforceable independent of any other provision of law or ordinance. This Notice and Deed Restriction shall be enforceable by the Monterey Peninsula Water Management District or any public entity which is a successor to the District.

The Owner(s) elects and irrevocably covenants with the District to abide by the conditions of this Notice and Deed Restriction to enable issuance of Water Permit No. 18570. 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 Monterey Peninsula Water Management District Rules and Regulations.

This Notice and Deed Restriction is placed upon the subject property and any transfer of this property, or any 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.

OWNER(S) agrees to record this Notice and Deed Restriction in the Recorder's Office of the County of Monterey, and by such recordation accepts unconditionally the terms and conditions stated herein.

By: Gabriela Ayala
Gabriela Ayala
Conservation Representative
Monterey Peninsula Water Management District

Dated: 7/24/2000

The undersigned Owner(s) request and consent to recordation of this Notice and Deed Restriction Regarding Limitation on Use of Water on a Property. (Signatures must be notarized).

By: Paul G. Filice
Paul G. Filice

Dated: 7-31-00

By: Mary L. Filice
Mary L. Filice

Dated: 7-31-00



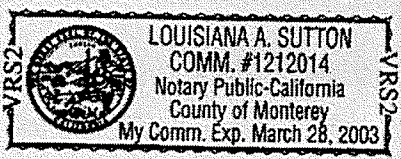
STATE OF California }
 }ss.
COUNTY OF Monterey }

On July 31, 2000 before me, Louisiana A. Sutton
personally appeared Paul G. Filice and Mary L. Filice

~~/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.

Signature Louisiana A. Sutton



(This area for official notarial seal)

Title of Document: Notice and Deed Restriction Regarding Limitation on Use of Water on a Property
Date of Document: 7/24/2000 No. of Pages: 3
Other signatures not acknowledged: Gabriela Ayala

END OF DOCUMENT