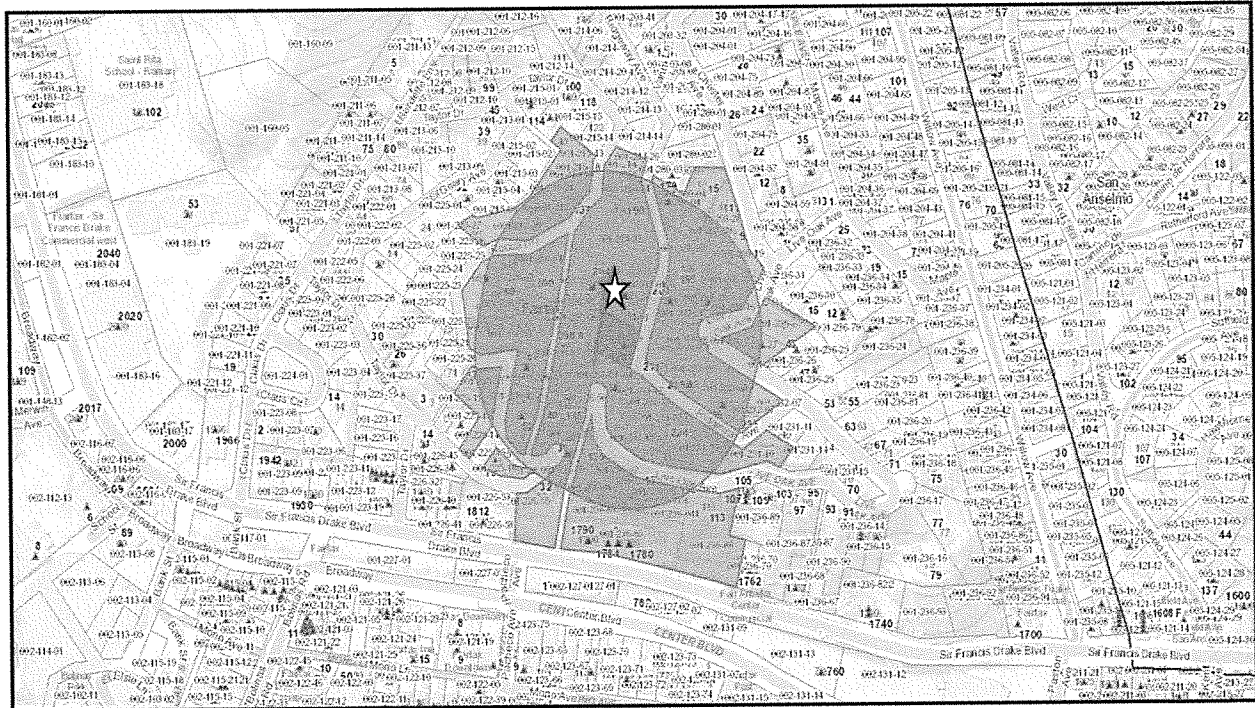


TOWN OF FAIRFAX STAFF REPORT

Department of Planning and Building Services

TO: Fairfax Planning Commission
DATE: October 19, 2017
FROM: Linda Neal, Principal Planner
LOCATION: 208 Ridgeway Avenue; Assessor's Parcel No. 001-231-19
PROJECT: Addition/remodel of single-family residence
ACTION: Use Permit; Application # 17-39
ZONING: Residential RD 5.5-7 Zone
APPLICANT: Laura Kehrlein, Architect
OWNER: Mary Wells
CEQA STATUS: Categorically exempt section(s) 15301(e)(1)



208 RIDGEWAY AVENUE

BACKGROUND

The 7,423 square-foot sites slopes up from Ridgeway Avenue and has an average slope of 39%. The site is developed with a 1,598 square-foot, 3 bedroom and 2 bathroom single-family residence that was constructed in 1939. There is one covered parking space provided in the garage on the first story and another tandem space in the driveway to the garage that is almost entirely located in the public right-of-way.

A gravel driveway runs along the entire length of the south side of the site, providing access to the residence 208 A Ridgeway Avenue. There are several landscaping retaining walls and a storage shed used by the subject property that are actually located on the property at 208A Ridgeway Avenue (which is currently owned by a member of the applicant’s family).

DISCUSSION

The proposed project consists of a 39 square-foot expansion of the first story bedroom, remodel of the lower ½ bathroom and hallway to convert the first story ½ bathroom to a full bathroom, 109 square-foot expansion of the second story expanding one of the bathrooms, and converting a portion of the enclosed porch on the north side of the structure into a portion of the expanded kitchen. The addition/remodel would result in a 1,749 square-foot, 3 bedroom and 2 bathroom residence (a net 251 square-foot increase). The project would also replace the rear patio and stairway to the upper yard area with a wooden deck and access stairs to the upper rear yard area.

The project complies with the regulations for the Residential RD 5.5-7 Zone where the site is located as follows:

	Front Setback	Rear Setback	Combined Front/rear Setback	Side Setbacks	Combined Side Setbacks	FAR	Lot Coverage	Height
Required/ Permitted	6 ft.	12 ft.	35 ft.	5 ft. & 5 ft.	20 ft.	.40	.35	28.5 ft., 2 stories
Existing	9 ft.	31 ft.	40 ft.	17 ft. & 23 ft.	45 ft.	.21	.19	26 ft., 2 stories
Proposed	No change	15 ft.	35 ft.	no change	45 ft.,	.23	.20	No change

Discretionary Permit(s)

The project requires the approval of a Conditional Use Permit (CUP).

Conditional Use Permit

Town Code § 17.076.050(C) requires that a Hill Area Residential Development permit or a Use Permit be obtained for any occupancy or physical improvement of or on a building site failing to meet the minimum parcel size and width based on the property slope. The property at 208 Ridgeway Avenue has a slope of 39% and would have to be 31,000 square-feet in size and 110 feet wide to conform to the Code.

The site is 7,423 square feet in size and 85 feet wide so the proposed addition requires the approval of a Conditional Use Permit.

Note: the project is not subject to the Hill Area Residential Development permit process because it does not affect the floor area of more than 50% of the structure (Town Code §17.008.020, Definition of 50% remodel). Therefore, the project is exempt from the Hill Area Residential Development Permit process per Town Code § 17.072.050(A). The parking is also not subject to review by the Commission because it is legal non-conforming, the project does not constitute a 50% remodel and the remodel expansion does not include the addition of a bedroom [Town Code §§17.016.030(B)(1) and (2)].

Considerations in reviewing a Conditional Use Permit include:

“The purpose of the conditional use permit is to allow the integration into Fairfax of uses which may be suitable only in certain locations in the Town or in a zone or only if the uses are designed or laid out on the site in a particular manner” [Town Code §17.032.010(A)].

“In consideration of an application for a conditional use permit, the Planning Commission shall give due regard to the nature and condition of all adjacent uses and structures, to the physical environs of the proposed use and to all pertinent aspects of the public health, safety and general welfare” [Town Code §17.032.010(B)].

The bedroom expansion on the first story will not project beyond the wall of the second story above it and the kitchen expansion will not project beyond the location of the existing covered porch. Therefore, these additions will have a minimal visual impact on the site and on adjacent neighboring residences.

Residences in the Ridgeway Park Subdivision on similar sized parcels range in size from a 992 square-foot, 2 bedroom, 1 bathroom residence on a 6,300 square-foot site (155 Ridgeway Road) to a 2,107 square-foot, 4 bedroom, 2 ½ bathroom residence on a 7,600 square-foot site (172 Ridgeway Avenue). Therefore, the proposed 1,749 square-foot, 3 bedroom and 2 bathroom residence on this 7,423 square-foot site would not be out of scale or character with the surrounding neighborhood.

Setbacks

The proposed project will comply with all the setback requirements of the Residential

RD 5.5-7 Zone where the site is located.

However, the rear deck proposed over the existing patio on the west side of the residence constitutes a structure per the following Town Code §17.008.020 definition of structure:

“Anything constructed or erected, the use of which required a location on the ground or attached to something having a location on the ground, including but not limiting the generality of the foregoing, advertising signs, billboards, backstops for tennis courts, fences, pergolas, radio and television towers, masts and aerals”.

The proposed deck would project into the required combined front/rear setback, maintaining a combined front/rear setback of 24 feet while the Town Code requires a combined front/rear setback of 35 feet [Town Code 17.084.070(B)(1)]. Because the yard area is level and can be utilized as outdoor living space without the construction of a deck staff is unable to recommend findings to the Planning Commission that would enable them to grant a combined front/rear setback variance. Therefore, we have included a condition of approval in the attached Resolution No. 17-37 that the rear deck/patio area be redesigned with a combination deck/patio that complies with the 35 foot combined front/rear setback regulation. The applicant has agreed to this condition.

Miscellaneous

As indicated above, the driveway to the house at 208 A Ridgeway Avenue and the retaining wall supporting the driveway run along the length of the project site’s southern side property line. There are also landscaping retaining walls and pathways that extend over the rear property line onto the property at 208 A Ridgeway and a storage shed located entirely on the 208 A Ridgeway property but used by the residents of 208 Ridgeway Avenue. Staff has included a condition in the attached Resolution No. 17-37 recommending approval of the project that a document creating easements for access and maintenance of these improvements be recorded at the Marin County Recorder’s Office prior to issuance of the building permit for the project. The applicant has provided a letter from the owner of 208 A Ridgeway indicating his willingness to enter into a reciprocal easement agreement addressing the driveway, retaining walls, pathways and the storage shed (Exhibit C).

Other Agency/Department Comments/Conditions

Ross Valley Fire Department

RVFD submitted written requirements which have been incorporated into conditions of approval in the attached resolution and are summarized as follows: The property is located in the Wildland Urban Interface (WUI) Area and the applicant must comply with requirements for construction in a WUI, including submittal of a Vegetation Management Plan (VMP), and vegetation clearance consistent with the VMP and Fire standards. A fire sprinkler system, carbon monoxide and smoke detectors and address

numbers that comply with the fire department requirements shall be installed.

Marin Municipal Water District (MMWD)

MMWD submitted written comments which have been incorporated into conditions of approval in the attached resolution and are summarized as follows: The plans must comply with all the indoor and outdoor District Code requirements 13, a gray water system may be required, and a High Pressure Water Service Application is required prior to occupancy.

Ross Valley Sanitary District

A Sanitary District sewer connection permit is required to either replace the existing sewer lateral, or demonstrate to a District Inspector that the existing lateral meets current requirements, prior to the project final inspection and issuance of an occupancy permit for the residence.

Fairfax Police, Public Works and Building Departments

The police, public works and the building departments did not provide conditions of approval or comments on the project.

RECOMMENDATION

1. Conduct the public hearing.
2. Move to approve application # 17-39 by adopting Resolution No. 17-37 setting forth the findings and the conditions for the project approval.

ATTACHMENTS

Attachment A – Resolution No. 17-37

Attachment B – Applicant's supplemental information

Attachment C – letter from the owner of 208 A Ridgeway Avenue (also designated as 20 Sady Lane)

RESOLUTION NO. 17-37

A Resolution of The Fairfax Planning Commission Approving Application No. 17-39 for a Use Permit to Expand/Remodel 208 Ridgeway Avenue

WHEREAS, the Town of Fairfax has received an application from Mary Wells to remodel and expand an existing single family residence from a 1,666 square-foot, 3 bedroom, 2 bathroom residence to a 1,746 square-foot, 3 bedroom and 2 bathroom residence; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing on October 19, 2017, at which time the Planning Commission determined that the proposed project complies with the regulations of the Residential RD 5.5-7 Zone; and

WHEREAS, based on the plans and other documentary evidence in the record the Planning Commission has determined that the applicant has met the burden of proof required to support the findings necessary to approve the Conditional Use Permit to allow the construction of proposed project as amended; and

WHEREAS, the Commission has made the following findings:

Use Permit Findings

The project as amended will comply with all the required setback, floor area ratio, and lot coverage and height regulations of the RD 5.5-7 Zone and will result in a residence similar in size, scale and character to the other residences in the Ridgeway Park Subdivision where the project site is located. Therefore, approval of the use permit shall not constitute a grant of special privilege and shall not contravene the doctrines of equity and equal treatment.

The addition does not extend beyond the footprint of the existing residential structure. Therefore, the development and use of property as approved under the use permit shall not cause excessive or unreasonable detriment to adjoining properties or premises, or cause adverse physical or economic effects thereto, or create undue or excessive burdens in the use and enjoyment thereof, or any or all of which effects are substantially beyond that which might occur without approval or issuance of the use permit.

Approval of the use permit is not contrary to those objectives, goals or standards pertinent to the particular case and contained or set forth in the Zoning Ordinance or the Fairfax 2010-2010 General Planer.

Approval of the use permit will result in equal or better development of the premises than would otherwise be the case, and that said approval is in the public interest and for the protection or enhancement of the general health, safety or welfare of the community.

Conditions of Approval

WHEREAS, the Commission has approved the project subject to the applicant's compliance with the following conditions:

1. This approval is limited to the development illustrated on the amended plans dated 10/5/17 prepared by Laura Kehrlein, Architect, pages A1, AB-1, AB-2, A2 and A3.
2. Prior to issuance of the building permit for the project the applicant or his assigns shall:
 - a. Submit a construction plan to the Public Works Department which may include but is not limited to the following:
 - Construction delivery routes approved by the Department of Public Works.
 - Construction schedule (deliveries, worker hours, etc.)
 - Notification to area residents
 - Emergency access routes
 - b. The applicant shall prepare, and file with the Public Works Director, a video tape of the roadway conditions on the public construction delivery routes (routes must be approved by Public Works Director).
 - c. Submit a cash deposit, bond or letter of credit to the Town in an amount that will cover the cost of grading, weatherization and repair of possible damage to public roadways. The applicant shall submit contractor's estimates for any grading, site weatherization and improvement plans for approval by the Town Engineer. Upon approval of the contract costs, the applicant shall submit a cash deposit, bond or letter of credit equaling 100% of the estimated construction costs.
 - d. The foundation shall be designed by an engineer certified to design such plans in the state of California. Plans and calculations of the foundation elements shall be stamped and signed by the project engineer and submitted to the satisfaction of the Town Engineer or Building Permit Plan Checker.
 - e. The grading and drainage elements shall also be stamped and signed by the project engineer.
 - f. Prior to submittal of the building permit plans, the applicant shall secure written approval from the Ross Valley Fire Authority, Marin Municipal Water District and the Ross Valley Sanitary District noting the development conformance with their recommendations.
3. During the construction process the following shall be required:

- a. The project engineer shall be on-site during the grading process (if there is any grading to be done) and shall submit written certification to the Town Staff that the grading has been completed as recommended prior to installation of foundation and/or retaining forms and piers.
 - b. Prior to the concrete form inspection by the Building Official, the project engineer shall field check the forms of the foundations and retaining elements and provide written certification to the Town staff that the work to this point has been completed in conformance with their recommendations and the approved building plans. The Building Official shall field check the concrete forms prior to the pour.
 - c. All construction-related vehicles including equipment delivery, cement trucks and construction materials shall be situated off the travel lane of the adjacent public right(s)-of-way at all times. This condition may be waived by the Building Official on a case-by-case basis with prior notification from the project sponsor.
 - d. Any proposed temporary closures of a public right-of-way shall require prior approval by the Fairfax Police Department and any necessary traffic control, signage or public notification shall be the responsibility of the applicant or his/her assigns. Any violation of this provision will result in a stop work order being placed on the property and issuance of a citation.
4. The project engineer shall field check the completed project prior to issuance of the occupancy and submit written certification to the Town Staff that the foundation, retaining, grading and drainage elements have been installed in conformance with the approved building plans and the recommendations of the soils report.
 5. Excavation shall not occur between October 1st and April 1st of any year. The Town Engineer has the authority to waive this condition depending upon the weather.
 6. The roadways shall be kept free of dust, gravel and other construction materials by sweeping them, daily, if necessary.
 7. Any changes, modifications, additions or alterations made to the approved set of plans will require a modification of Application # 17-39. Any construction based on job plans that have been altered without the benefit of an approved modification of Application 17-39 will result in the job being immediately stopped and red tagged.
 8. Any damages to the public portions of Ridgeway Avenue or other public roadway used to access the site resulting from construction activities shall be the responsibility of the property owner.
 9. The applicant and its heirs, successors, and assigns shall, at its sole cost and expense, defend with counsel selected by the Town, indemnify, protect, release, and

hold harmless the Town of Fairfax and any agency or instrumentality thereof, including its agents, officers, commissions, and employees (the "Indemnitees") from any and all claims, actions, or proceedings arising out of or in any way relating to the processing and/or approval of the project as described herein, the purpose of which is to attack, set aside, void, or annul the approval of the project, and/or any environmental determination that accompanies it, by the Planning Commission, Town Council, Planning Director, or any other department or agency of the Town. This indemnification shall include, but not be limited to, suits, damages, judgments, costs, expenses, liens, levies, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the applicant, third parties and the Indemnitees, arising out of or in connection with the approval of this project, whether or not there is concurrent, passive, or active negligence on the part of the Indemnitees. Nothing herein shall prohibit the Town from participating in the defense of any claim, action, or proceeding. The parties shall use best efforts, acting in good faith, to select mutually agreeable defense counsel. If the parties cannot reach agreement, the Town may select its own legal counsel and the applicant agrees to pay directly, or timely reimburse on a monthly basis, the Town for all such court costs, attorney fees, and time referenced herein, provided, however, that the applicant's duty in this regard shall be subject to the Town's promptly notifying the applicant of any said claim, action, or proceeding.

10. The applicant shall comply with all applicable local, county, state and federal laws and regulations. Local ordinances which must be complied with include, but are not limited to: the Noise Ordinance, Chapter 8.20, Polystyrene Foam, Degradable and Recyclable Food Packaging, Chapter 8.16, Garbage and Rubbish Disposal, Chapter 8.08, Urban Runoff Pollution Prevention, Chapter 8.32 and the Americans with Disabilities Act.

11. The applicant must comply with all outside agency conditions unless a specific agency waives their conditions in a written letter to the Department of Planning and Building Services Department prior to issuance of the building permit.

12. All exterior lighting shall be "dark sky" fixtures and direct the light downward. The fixture cut sheets shall be included in the building permit submittal and be subject to Planning Staff approval prior to issuance of the building permit.

Ross Valley Fire Department

13. The property is located within the Wildland Urban Interface Area for Fairfax and the new construction must comply with Chapter 7A of the California Building Code or equivalent.

14. The owner must maintain around the structure an effective firebreak by removing and clearing all flammable vegetation and/or other combustible growth in compliance with Ross Valley Fire Department Fire Protection Standard 220, Vegetation/Fuels Management.

15. All smoke detectors in the residence shall be provided with AC power and be

interconnected for simultaneous alarm. Detectors shall be located in each sleeping room, outside of each sleeping room in a central location in the corridor and over the center of all stairways with a minimum of 1 detector on each story of the occupied portion of the residence.

16. Carbon monoxide alarms shall be provided in existing dwellings when a permit is required for alterations, repairs, or addition and the cost of the permit exceeds \$1,000.00. Carbon monoxide alarms shall be located outside of each sleeping area in the immediate vicinity of the bedrooms and on every level of the dwelling, including basements.

17. Address numbers at least 4 inches tall must be in place adjacent to the front door. If not clearly visible from the street, additional numbers must be placed in location that is visible from the street. The numbers must be internally illuminated or illuminated by and adjacent light controlled by a photocell that can be switched off only by a breaker so it will remain illuminated all night.

18. All approved alternatives requests, and their supporting documentation, shall be included in the plan sets submitted for final approval by the Fire Department.

19. A fire sprinkler system shall be installed throughout the entire building which complies with the requirements of the National Fire Protection Association (NFPA) 13-D and local standards. A separate deferred permit shall be required for this system with plans and specifications for the system submitted to the Ross Valley Fire Department by an individual or firm licensed to design-build sprinkler systems.

20. A Vegetative Management Plan designed in accordance with the Ross Valley Fire Standard @220 is required to be approved prior to issuance of the building permit for the project.

21. Alternative materials or methods may be proposed for any of the above conditions in accordance with Section 104.9 of the Fire Code.

Marin Municipal Water District (MMWD)

22. The plans must comply with all the indoor and outdoor requirements of District Code Title 13, Water Conservation. Landscaping plans must be submitted to the District and be approved.

23. The District's backflow prevention requirements must be met and if installation of a backflow device is required, the device shall be tested/inspected and be approved by a District Inspector prior to the project final inspection and issuance of the occupancy permit.

24. Comply with MMWD Ordinance No. 429, requiring the installation of gray water recycling systems when practicable for all projects required to install new water service

and existing structures undergoing “substantial remodel” that necessitates an enlarged water service.

25. Complete a High Pressure Water Service Application prior to issuance of the occupancy permit for the residence.

Ross Valley Sanitary District

26. A Sanitary District sewer connection permit is required to either replace the existing sewer lateral, or demonstrate to a District Inspector that the existing lateral meets current requirements, prior to the project final inspection and issuance of an occupancy permit for the residence.

Miscellaneous

27. The rear deck/patio shall be redesigned so that any portions of the wooden deck comply with the required 35 foot front/rear setback requirement prior to submittal for a building permit.

28. Access and maintenance easement documents addressing the driveway that provides access to 208A Ridgeway Avenue, the rear retaining walls and pathways that cross the rear property line, and the storage shed located off site on the 208A Ridgeway Avenue property shall be recorded at the Marin County Recorder’s Office prior to issuance of the project building permit.

NOW, THEREFORE BE IT RESOLVED, the Planning Commission of the Town of Fairfax hereby finds and determines as follows:

The approval of the Conditional Use Permit is in conformance with the 2010 – 2030 Fairfax General Plan and the Fairfax Zoning Ordinance, Town Code Title 17; and

Construction of the project can occur without causing significant impacts on neighboring residences and the environment.

The foregoing resolution was adopted at a regular meeting of the Planning Commission held in said Town, on the 19 day of October 2017 by the following vote:

AYES:
NOES:
ABSTAIN:

Chair Fragoso

Attest: _____
Ben Berto, Director of Planning and Building Services

A R C H I T E C T S
FREDRIC C. DIVINE ASSOCIATES

October 5, 2017

Linda Neal
Principal Planner
Town of Fairfax
142 Bolinas Road
Fairfax, CA. 94930

TOWN OF FAIRFAX

OCT 05 2017

RECEIVED

Re: 208 Ridgeway Avenue; Planning Application Dear

Linda

Attached are fourteen sets of revised plans in response to comments dated August 23, 2017. A response to each of your comments follow.

Property; Title Report

1. Provide the property Title Report as required on page 4 of the planning application. Condition of Title Guarantee from Stewart Title, 8/24/2017 was previously submitted to you during our meeting of September 25, 2016.

Site Plan

2. Include accurate contour lines at 5 foot intervals (page 4 of the planning application). Show the foundation lines of all neighboring structures. Contour lines have been added to site plan drawing 1/A1 as well as the building corners of the adjacent lots. A copy of the Marin Map adjacent building footprints has been added to sheet AB-1.
3. Provide the retaining wall heights at 10-foot intervals. Retaining wall heights added to site plan drawing 1/A1.

Discrepancies in Available Information and the Application

4. The subdivision map that created property and the Marin County Tax Assessor's Maps show this parcel being 85-feet wide but the plans show it being 83.29-feet wide. Provide a written explanation of the reason for the discrepancy. If an acceptable explanation cannot be provided for the discrepancy, the staff may require that a record of survey be provided for the site and its existing improvements before processing of this application can continue.
The site plan has been revised to show the bearings as described on the assessor's parcel map. A drafting error occurred with the previously submitted site plan. A survey marker was found on the pilaster at northeast corner of the property and has been noted on the revised site plan.
5. The Marin County Tax Assessor's records for the property show the residence having 1,386-square-feet of living space and the Town has no record of any permits ever being issued to expand or remodel the structure. Explain why the plans and application form indicate the residence is 1,666-square-feet in size.

ATTACHMENT B

We are not sure why the assessor's record is different than the floor area as measured. We have verified our measurements, and found discrepancies in our field dimensions. The revised measurements total 1,598 SF.

Ridgeway Avenue

6. Show the location of the paved portion of the Ridgeway Avenue within the right-of-way and its proximity to the front property line.
The road pavement for Ridgeway Ave. has been added to site plan drawing 1/A1.

Improvements off the property

7. How does the owner plan to address the retaining walls, walkways, patio and storage shed improvements that are located on the neighboring vacant property to the west? Will these improvements be removed as part of the project? Are there existing easements for the improvements? Does the owner have plans to purchase the property and if so, when will that occur? These off-site improvements may be additional justification for the staff to require a record of survey for the site prior to the project progressing forward in the review process.

There were four contiguous properties (Lots 310, 309, 1-226-52, and 1-226-7) that were owned by the current owner's parents, since the 1950s and early 1960s. The properties were distributed to the owner and her siblings, following their mother's death in 2013, and remain within our family. The retaining walls are understood and agreed upon by all of the now-owners to provide necessary benefit all of the parcels. Their removal would create immediate instability and damage to all of the parcels and homes. It is in the best interest and with intention that all of the owners are invested in future repairs or improvements to the retaining walls. The shed is an auxiliary unit that provides storage for garden tools, equipment, yard furnishings, supplies, etc. to benefit both 208 Ridgeway and the empty lot behind—likewise for any portions (some of which are original to 208 Ridgeway) of the walkways or patio. They are of no consequence to either owner of those parcels. The property owner has retained an attorney to create easements for the improvements located on the adjacent properties.

Please contact me if you have any questions or clarifications regarding these responses.

Sincerely,



Laura Kehrlein
Project Architect

Cc: Mary Wells

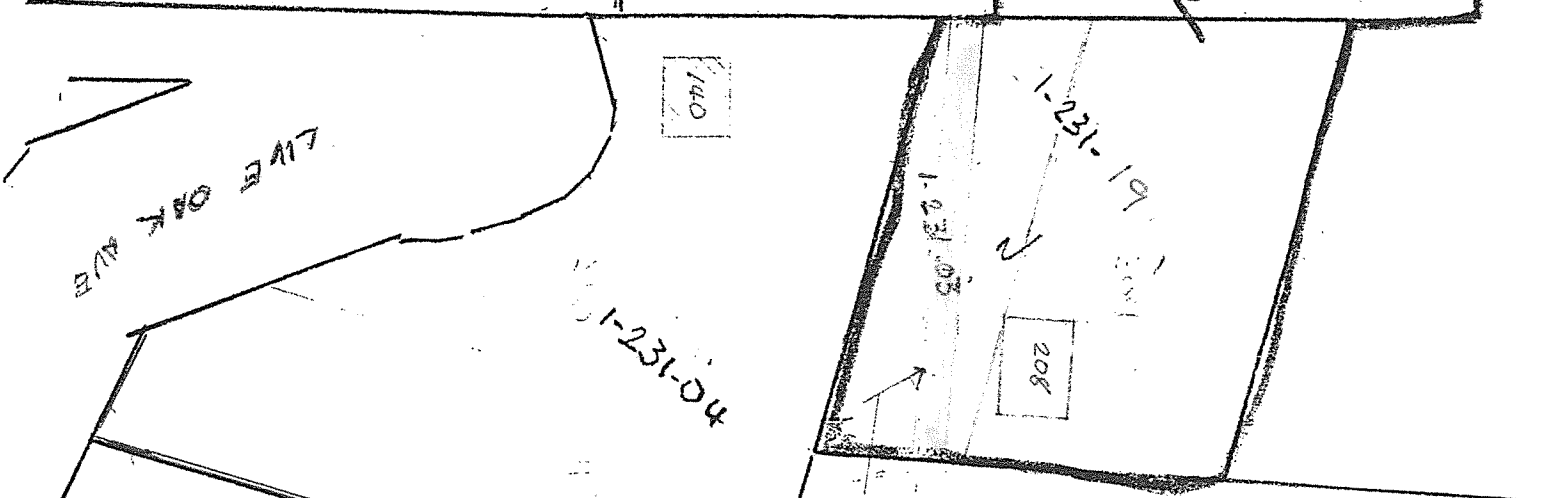
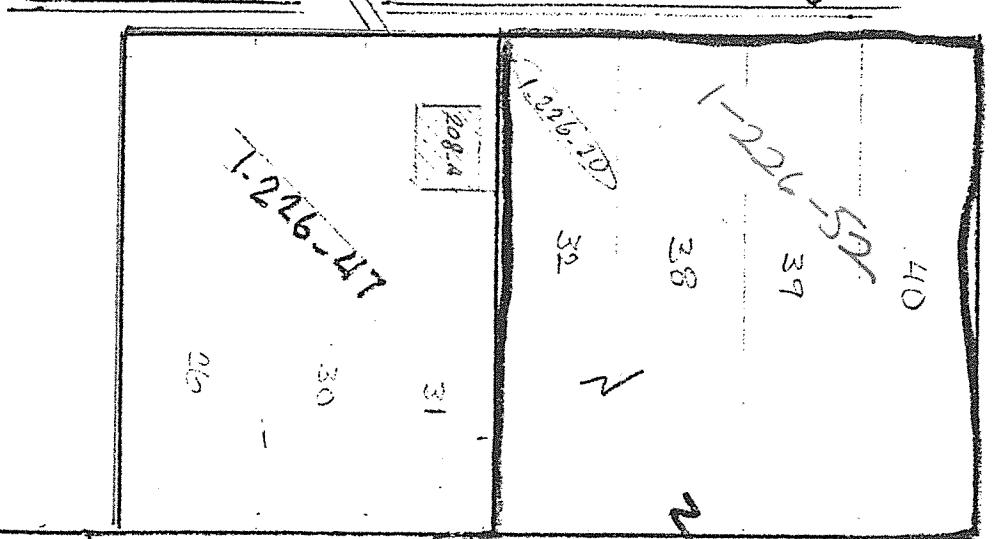
FILE PLANS

Sanitary Dist. Sewer

Municipal W. D. Main

Property of Albert & Irma Pincini
208 RIDGEWAY AVE. FAIRFAX, CA

MAP of FAIRFAX HEIGHTS
Pg 59



LIVE OAK AVE

1-231-04

DRIVEWAY

RIDGEWAY AVE

MAP of Ridgeway Park
Pg 60

FILE PLANS

SANDRO A. PINCINI
3214 Henrietta Avenue
La Crescenta, CA 91214

October 9, 2017

Mary Wells
1462 H Street
Arcata, CA 95521

Re: Access and Use Easement for Benefit of 208 Ridgeway

Dear Mary:

At the request of the Town of Fairfax, I am writing to confirm your easement rights over my property.

I own the real property located at 20 Sady Lane, Fairfax, California, with Assessor's Parcel Number 001-226-57 ("20 Sady Lane") and also the vacant lot next door with Assessor's Parcel Number 001-226-58 (the "Vacant Lot") (20 Sady Lane and the Vacant Lot are referred to together as the "Sady Lane Parcels").

The Sady Lane Parcels are contiguous with your property located at 208 Ridgeway Avenue, Fairfax, California, with Assessor's Parcel Number 001-231-19 ("208 Ridgeway"). The Sady Lane Parcels and 208 Ridgeway were all originally owned by our parents, Irma and Albert Pincini.

As I understand, a portion of the improvements and personal property in the backyard at 208 Ridgeway may actually be located on the Sady Lane Parcels. As shown on the site plan per the Assessor's map, which is attached as Exhibit A, a shed and portions of the walkway, concrete patio, landscaping, and retaining walls appear to extend beyond the boundary lines of 208 Ridgeway (the "Easement Area").

To the extent the improvements in your backyard are located on the Sady Lane Parcels, you have an easement over the Sady Lane Parcels for the exclusive access and use of the Easement Area, including the right to maintain the improvements and personal property, but at no time now or in the future will this portion be part of your property.

Sincerely,

Sandro A. Pincini 10/9/17

Sandro A. Pincini

ATTACHMENT **C**

