

RESOLUTION NO. 12-06

**RESOLUTION OF THE BOARD OF DIRECTORS OF IRONHOUSE
SANITARY DISTRICT APPROVING THE RESTATED AND
AMENDED LEASE FOR MOBILEHOME**

WHEREAS, Ironhouse Sanitary District (ISD) purchased approximately 2,800 acres of ranch lands on Jersey Island, Contra Costa County, California from Delta Properties, Inc. (“DPI”) on April 21, 1993. At the time of the purchase, Mr. Leo David Moss, Sr. was employed by DPI. He and his wife Carolyn Moss were living in a mobilehome owned by DPI on a site located on a portion of the lands acquired by ISD, hereinafter referred to as the “Premises.” The Premises is located inboard of the levee bordering the northwest coast of Jersey Island along the San Joaquin River. ISD has since engaged Mr. Moss to work on the lands which ISD purchased.

WHEREAS, as part of ISD’s purchase, ISD agreed with DPI that Mr. Moss, Sr. and his wife Carolyn Moss (the “Moss Family”) could remain living on the Premises. This agreement was embodied in Paragraph 13 of the Preliminary Escrow Instructions dated March 23, 1993 and Paragraph 4 of the Supplemental Escrow Instructions dated April 15, 1993, concerning certain terms of ISD’s purchase from DPI of the lands of which the Premises are a part.

WHEREAS, on April 21, 1993, ISD and the Moss Family (the “Parties”) entered into a Land Lease for Mobilehome embodying Paragraph 13 of the Preliminary Escrow Instructions, Paragraph 4 of the Supplemental Escrow Instructions and other related matters, all as they related to the Premises. On November 6, 2007 the Parties entered into Amendment No. 1 to Land Lease for Mobilehome.

WHEREAS, Reclamation District 830 (“RD 830”) is expanding the northern levee on Jersey Island inland and this inland expansion is part of the larger Headquarters Levee Rehabilitation Project (the “Project”) which was the subject of a Negative Declaration adopted by RD 830 on September 19, 2007.

WHEREAS, the expansion of northern levee on Jersey Island inland will occupy the area on which the Premises are located. The Parties have agreed that ISD will purchase, own and lease at no cost to the Moss Family a replacement mobilehome which will be located on Jersey Island at the intersection of Jersey Island Road and the Ferry Road. ISD will remove and dispose of the existing mobilehome and will be reimbursed by RD 830 for the costs to demolish and remove the mobilehome.

WHEREAS, RD 830 has advised ISD that there have been no changes to the Project, there have been no change in its circumstances and no new information has become available regarding the Project after the adoption of the Negative Declaration. Accordingly, ISD relies on the Negative Declaration adopted by RD 830 on September 19, 2007 with respect to the analysis of the environmental impacts of the removal of the mobilehome presently occupied by the Moss Family from Jersey Island and its replacement with a new mobilehome to be located at the intersection of Jersey Island Road and the Ferry Road.

WHEREAS, the Parties propose to enter into a Restated and Amended Lease (the "Lease"), copy attached as Exhibit A.

WHEREAS, the Board held a public hearing on April 3, 2012 to receive and consider public comments on this use of the Negative Declaration and the Lease.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of ISD, after considering all public comments and the entire administrative record, hereby approves the use of the Negative Declaration, approves the Lease and directs staff to enter into the Lease with Dave and Carolyn Moss and their daughter Laurie Moss.

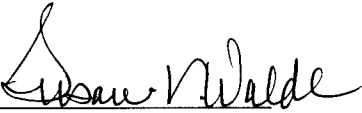
AYES, and in favor thereof, Members: D. Contreras, D. Hardcastle, D. Huerta and C. Lauritzen

NOES, Members: None

ABSTAIN, Members: None

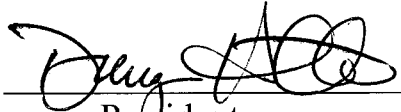
ABSENT, Members: M. Painter

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted by the Board of Directors of ISD at a meeting thereof held on the 3rd day April, 2012.



Secretary
(SEAL)

APPROVED:



President