

SDA Links E-Mails.txt

Cc: Mark Vincent; Tom Green

Subject: RE: Water Provision Agreement - Nevada Links -Confidential

IF IT WERE ME I WOULD SIMPLY TERMINATE THE AGREEMENT AT SUCH TIME IT WAS CLOSED AS AN ACTIVE GOLF COURSE.

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From: Scott Adams

Sent: Tuesday, May 03, 2005 12:27 PM

To: Dick Goecke; Julie Quisenberry

Cc: Mark Vincent; Tom Green

Subject: RE: Water Provision Agreement - Nevada Links -Confidential

Can we simply put in our sale agreement regarding the release of the restrictive covenant a clause which indicates that we will renegotiate the water use agreement within a specified time period form the sale, say 120 days?

-----Original Message-----

From: Dick Goecke

Sent: Tuesday, May 03, 2005 10:02 AM

To: Julie Quisenberry

Cc: Scott Adams; Mark Vincent; Tom Green

Subject: RE: Water Provision Agreement - Nevada Links -Confidential

TOM NEEDS TO ANSWER THIS QUESTION BUT IF THE PROPERTY IS NO LONGER A GOLF COURSE ARE WE OBLIGATED TO SELL 20 CENTS / PER THOUSAND RE USE WATER TO A RESIDENTIAL DEVELOPMENT. IF THE ANSWER IS YES THEN WE SHOULD CANCEL THE OBLIGATION TO SERVE THE RESIDENTIAL DEVELOPMENT AS A CONDITION OF CONVERTING THE USE OF THE PROPERTY FROM GOLF COURSE TO SINGLE FAMILY DEVELOPMENT. THESE FIGURES AREN'T EXACT AND I'M GOING FROM MEMORY BUT THEY ARE CLOSE. WALTERS SPENT ABOUT 2 MILLION IN CAPITAL COST TO GET RE USE WATER FROM OUR TREATMENT PLANT TO HIS GOLF COURSE. WE IN TURN WOULD CREDIT HIM THE 2 MILLION AND ESSENTIALLY PROVIDE HIM WITH RE USE WATER UNTIL HIS 2 MILLION IS PAID BACK. I'M GUESSING HE HAS USED UP A QUARTER OF A MILLION OF THAT CREDIT. IF THE RESIDENTIAL HOUSING DEVELOPMENT DECIDES TO USE RE USE WATER ON ONLY THE GREEN SPACES IT WOULD TAKE MAYBE 50 YEARS OR SO TO PAY OF THE BALANCE OF THAT CREDIT. WE DON'T WANT TO HAVE TO STAY IN BUSINESS THAT LONG JUST TO SERVE A FEW ACRES OF GREEN SPACE. I HAVE A MEETING WITH WALTERS TOMORROW TO LOOK AT HIS REVISED BUFFER ZONE AS THE FIRST PLAN HE SHOWED ME WAS NOT ACCEPTABLE. I CAN'T IMAGINE THE GREEN SPACE HAS CHANGED AS IT'S JUST A FEW ACRES BENEATH THE HIGH