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**Office of the
City Manager**

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August 24, 2011

TO: PROPERTY OWNER, LEMOORE INDUSTRIAL PARK NO. 1
**SUBJECT: AMENDING CC&RS TO MATCH ALLOWED LAND USES
WITH CITY ZONING ORDINANCE**

As you may know, City staff meets with potential developers who are interested in property located in the Lemoore Industrial Park No. 1. Unfortunately, some proposed projects are not allowed under the "Covenants, Conditions, and Restrictions" ("CC&Rs" dated March 2, 1990 attached) applicable to property within the Industrial Park, but would be permitted through the City's Zoning Ordinance. Due to the conflict, City staff called a meeting on June 28, 2011 with the property owners to discuss the restrictions imposed through the CC&Rs and requested feedback as to the necessity for keeping the CC&Rs in place. Only two persons attended the meeting, however, they represent 5 of the 25 parcels (City/RDA own 8 of the 25 parcels). The consensus of the two attendees was that they wanted additional business development in the industrial park and were willing to amend or eliminate the CC&Rs as long as certain undesirable activities would be restricted through Zoning.

Accordingly, we ask that all property owners vote in favor of amending the CC&Rs using this ballot. As it would be amended, Paragraph 1 of the "Declaration of Covenants, Conditions, and Restrictions" applicable to the Lemoore Industrial Park No. 1 would read as follows:

1. Declarants declare, covenant, and agree that no activity or condition that is unreasonably and unusually noxious or offensive to any of the physical senses shall be carried on or permitted upon any part, parcel, lot, or other portion of said described real property nor shall anything be done or be allowed to exist thereon which may be or become an annoyance or nuisance to the remainder of said described real property or to the neighborhood. Without limiting the generality of the foregoing, the land uses permitted, administratively permitted, conditionally permitted, or not permitted upon any part, parcel, lot, or other portion of said described real property, shall all be as set forth in the City of Lemoore's Zoning Ordinance as it is applicable to said described real property.

I hereby cast my vote on amending Paragraph 1 of the CC&Rs applicable to the Lemoore Industrial Park No. 1, as such amendment is shown above, and authorize the City of Lemoore to sign and record the attached Declaration Amending Declaration of Covenants, Conditions, and Restrictions and to implement this amendment on my behalf:

- For** (in favor of amending CC&Rs)
- Against** (oppose amending CC&Rs)

SIGNATURE(S)

PRINT NAME(S)

ASSESSOR'S PARCEL NO.

STREET ADDRESS IN LEMOORE, CA

Please return this ballot in the enclosed envelope by October 10, 2011. If you have any questions or request any additional documentation, please contact me at the number above. Following the vote, you will receive written documentation regarding the status of the CC&Rs.

Sincerely,

Jeff Britz
City Manager

Enclosures (2)