CITY OF ST. HELENA
RESOLUTION NO. 2008-103

APPROVING WATER AGREEMENT BETWEEN
THE CITY OF ST. HELENA AND
V. SATTIUI WINERY, INC.

RECITALS

A. V. Sattui Winery, Inc. ("Customer") is the owner of real property located at 1111 and 1181 White Lane, outside the St. Helena City Limits, Napa County, known as Assessor's Parcel Nos. 030-260-035 and 030-020-029 (the "Property"), and

B. Despite its location outside the City Limits, the Property benefits from the right to City water by virtue of two, (2) existing water accounts: a residential account with a service address of 882 St. Helena Highway South (the "Residential Account"), and a commercial account fed by a City water main under White Lane with a service address of 1111 White Lane (the "Commercial Account"), and

C. A winery is located on the Property and is authorized by Napa County (the "County") Use Permit #U-118687, issued on February 4, 1987, to produce 96,000 gallons of wine per year (the "Use Permit"), and

D. On October 28, 2004, Customer filed an application for a Use Permit Modification ("Amended Use Permit") with the County. City requested and County required that Customer execute a water agreement with City as a condition of approval of the Amended Use Permit, and

E. In 1992, Customer connected the Property to an on-site well and, through further conservation efforts, well-water system upgrades and construction of an additional vineyard well in 2003, has reduced its demand for City water to the point that its needs are strictly limited to continuity of operations in the event of an Emergency (as defined in the attached Agreement incorporated by reference herein), and

F. Customer and City hereto wish to enter into a Water Agreement to fulfill said condition of approval requiring such an agreement, and

G. Once approved by Council, the Water Agreement will be recorded against the property, and its terms and conditions are binding on any successors in interest.
RESOLUTION

NOW, THEREFORE, the City Council of the City of St. Helena resolves as follows:

1. The attached Water Agreement between the City of St. Helena, a municipal corporation (City), and V. Sattui Winery, Inc. are approved.

Approved at a Regular Meeting of the St. Helena City Council on November 25, 2008, by the following vote:

AYES: Councilmembers Sklar, Schoch, Novak, Potter
NOES: None
ABSENT: Mayor Britton

APPROVED:

[Signature]
Delford Britton
Mayor

ATTEST:

[Signature]
Delia Guijosa
City Clerk