

Exhibit D
Rushforth Letter
Dated
September 3, 2010

REF100047
Carmel Cottages

Planning Commission
February 9, 2011

September 3, 2010
Mr. Carl Holm, Assistant Director RMA-Planning Dept.
Monterey County RMA – Planning Department
168 W. Alisal Street, 2nd Floor
Salinas, Ca 93901
831-755-5239

**RE: Cottages of Carmel Project – Condition Compliance
#27 and #49**

Condition #27- Oak Tree

Item A: A limb from 1 Oak tree was in conflict with construction documents and crossed well into the building drive. This limb would have impeded vehicle access to the building by occupants and impeded fire/emergency access along Valverde Road. With extreme care and consideration, we decided to remove the limb while at the same time protect and keep a significant majority of the Oak tree intact and unaffected.

Item B: There will be no staging of materials for this project off-site, i.e. neighbor's property for building construction. There was sand stockpiled (with permission of neighbor) for backfilling of utility work down Valverde Road, however, we have since then had that sand removed and there will be no further staging of materials off-site for duration of project work.

Condition #49- Pine Tree

With regards to the removal of the Pine tree located at the south end of the project site, we were faced with 3 significant issues with leaving it in place. First, PG&E has their utilities shown running in the direct line of path of the tree, and unfortunately there was no real option in having those utilities relocated. Second, there is site lighting that is shown in that location as well, which along with the paved parking spaces, left us with little option of adjusting. Third, the tree was leaning substantially to the south, and a majority of the tree either dying or in severe distress most likely from old age. Unfortunately, we felt our only option was to remove the tree.

Because Condition #49 (tree to remain) was to provide a level of "screening" for the neighbors to the south of the project, we will be planting approximately 13 new trees along the south property line and approximately 5 more trees at the landscaped area directly south of building A. Our thought is that this will provide ample screening from the site for the neighbors to the south.

Everyone at Rushforth Construction appreciates the time and effort taken to address these conditions and make Cottages of Carmel a successful addition to the entire community! We are looking forward to working with you and your employees on this project.

Respectfully,
RUSHFORTH CONSTRUCTION