

Information Packet for Prospective Owners

The following information is provided to assist you in evaluating whether to purchase one of the lots available on the New Land. Please note that, while we believe this information to be accurate, the Shadhiliyya Sufi Center (SSC) disclaims any liability for inaccuracies. You are strongly encouraged to refer directly to the local codes and ordinances, to obtain the advice of local legal and real estate counsel of your own choice, to make a thorough inspection of the property, and to talk with people knowledgeable about the issues involved in purchases of and living on agricultural land prior to making an offer on or purchasing a lot. The lots are being sold “as is,” without representations or warranties other than the warranty of clear title, to be evidenced by a Grant Deed. A policy of title insurance may be obtained at the time of purchase insuring clear title to your lot, and is a worthwhile investment.

Zoning: All parcels to be sold are zoned Agricultural Watershed (AW). The following uses are allowed in all AW zones without use permits (further limited uses are allowed *with* use permits, such as farm worker housing):

- Agriculture*
- Animals
- One single-family dwelling unit per legal lot
- A second unit, either attached to or detached from an existing legal residential dwelling unit, providing that all of the conditions set forth in Section 18.104.180 (Napa county code) are met. (Brief synopsis of this code: The second unit may be a complete, independent living facility for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, and must be located on the same parcel as the primary unit is situated. It can be used as a rental unit. Size cannot exceed 30% of the main residence; detached units cannot exceed 1,200 square feet)
- Residential care facilities (small)
- Family day care homes (small)
- Family day care homes (large)
- One guest cottage, provided that all of the conditions set forth in Section 18.104.080 are met. (Very general synopsis of this code subsection: A detached structure not containing kitchen facilities, accessory to a single-family residence and designed and used primarily for sleeping accommodations by members of the same family which occupy the residence or by their nonpaying guests. Maximum size of 1,000 square feet. No kitchen allowed; a small fridge and small bar sink are allowed)
- Winery related uses
- Telecommunication facilities (specific criteria)
- Hunting clubs (specific criteria)
- RV park (specific criteria)
- Floating dock (specific criteria)

* Intended purchasers will be given a disclosure notice, required by Napa County, informing them that in agriculture-zoned areas such as the new land, agriculture is considered to be the “highest and best use” of the land, and that residents in those areas are put on notice that normal sounds, smells, sights, and inconveniences of agricultural activity, such as machinery operating day and night (sometimes all night), dust, pests pesticides, pollen, etc. are normal and may not be the subject of a complaint for disturbance of the peace or a nuisance abatement suit.

Use of SSC Parcel: While the largest parcel of the new land may be retained by SSC, at the present time SSC intends to sell this parcel. If it keeps the parcel, it may be used for agriculture, or possibly for its religious purposes, which include group prayer, group teachings, healing trainings and providing healings to Beloveds and others. These religious activities can occasionally generate significant amounts of vehicle and foot traffic and noise. Deeds may include a “non-opposition” clause precluding buyers from objecting to the County’s granting of a use permit to SSC or the University of Spiritual Healing and Sufism to conduct these activities on that parcel, and also a pedestrian easement allowing students to walk the roads across the other parcels (but not to get off the road and wander around the property without permission).

Building Permit—Issuance prerequisites (this is a short, general list of requirements; please review the county building codes and check with the County Building Inspection Department regarding your specific questions):

- Approved water supply and sewage disposal system exists
- Conservation, development, environmental, fire department and planning department certification or review for applicable requirements (including but not limited to approved road access—see below, geologic and or environmental reports, lot line requirements, “view shed” ordinance provisions--land use “matching man’s activities to the land’s natural suitability” and “minimizing conflict with the natural environment.”—see ordinance #1189 for details). “View shed means that the buildings are not to be seen from main roads, preserving the view for others of the natural environment.
- Payment of all permits/fees (these can be quite high; estimated to be around \$40,000 for a 3 bedroom home—costs vary considerably with building simplicity and permits)
- Please note: if you are thinking of building habitable structures on a parcel without the bother of getting a building permit and all those annoying inspections, please reconsider. At the written “request” of the County, SSC is in the process of applying for a use permit to confirm their legal right to use the Retreat Center property for our religious purposes and observances, and immediately following that, we will be seeking a use permit for the teaching and healing uses on the retained SSC parcel on the new land. In connection with these use permit applications, we will be inviting Supervisors, Planning Commission members and members of their staffs to visit the property, and building inspectors will be coming around to verify that the existing structures are safe for human use. The last thing we need is for them to find that our community members are ignoring the legal requirements regarding permits and compliance with building codes and limits on number and size of structures on a given property associated with the Sufi Center. This is important, because it could jeopardize our permit applications, which involve significant costs, and could well induce the county powers that be to be uncooperative if they come to feel that as a group, we’re not interested in working with them with integrity. Your actions as a landowner may reflect on their impression of the Sufi community, and whether this is justifiable or not is irrelevant if they won’t cooperate with us in bringing through Sidi’s vision for this U.S. Center for our order.

Water

- Water is one of the most important (and can be the most limiting) aspect of developing property in Pope Valley. Septic permits and building permits cannot be obtained without a legal source of water.
- Legal use of water from either of the two ponds on the land may require a permit for use. It is not known how easily a permit may be pulled.

- Jerd Creek, emerging from a spring on the property (near the old house), flows through wetlands on the property. This is a year round spring that flows approximately 2 to 5 gallons per minute (increase in flow may be possible through horizontal drilling or spring development). This spring is on the parcel intended to be kept by the Sufi center, and legal use of the spring by that piece of property may exist with riparian rights. It appears that the old house used water from the spring for domestic and agricultural use. Salih Cotton has water use right information from a study done by an attorney a few years ago.
- Groundwater wells: Owners have the right to drill wells and use groundwater for any use. Finding water in the Franciscan formation on which the land is located is challenging. SSC has drilled three wells on the property, without finding water. Productive well drilling is definitely “hit or miss.” Salih has a report showing the varying geologic formations, showing more probable areas for successful water drilling. The existence of seismic faults on the property can be a positive aspect in locating water, since underground aquifers move upwards through the fault lines and can provide functional water supply.
- Rainwater: Napa County has an ordinance prohibiting the collection of rainwater for domestic or agricultural uses.
- Depending on available water (less than 5 gallons per minute supply), the county may require a dedicated water storage supply for fire protection. This is usually in the form of a large (5,000 gallon) tank with specific valve connections for fire equipment. Cost would be around \$2,500 plus labor.

Geology: The County looks at geologic risk on a site by site basis. In general, there are two mapped areas of landslide concern (one on the extreme northeast edge of the property, and one at the extreme southwest corner). Neither concern should limit eventual building in a parcel, but may define eventual home site determination. Two earthquake faults are located through the central portion of the map. Neither have recent activity or active status. Because of these mapped features it is possible that the county might require a geologic report before building.

Flood Hazard: There is no mapped flood hazard on this property.

Archeological: There are no mapped archeological sites on the property.

Endangered Species: The site is mapped as having historic evidence of at least one endangered plant species (ASCL-2). The county may require a biological assessment before building.

Fire Hazard:

- Because the property is located in a very high fire hazard zone, special design features may be required for the road/driveway (accessibility for fire trucks such as frequent turnouts) and building sprinklers may be required.
- Special fire resistant roofing materials may be required.
- Flammable trees, brush and grasses must be kept cut back at least 30 feet from structures during fire season.
- Depending on available water (less than 5 gallons per minute supply), the county may require a dedicated water storage supply for fire protection. This is usually in the form of a large (5,000 gallon) tank with specific valve connections for fire equipment. Cost would be around \$2,500 plus labor.

Road: Although some exceptions are granted, in Napa County private roads generally must be built to the same standards as public roads. The county does not normally enforce regulations retroactively to private roads that were constructed prior to the adoption of current design standards (1971). However, the county can and may require improvements to the road as a condition of granting a building permit.

- The Napa County “Road and Street Standards” states that “All roads are required to be paved with the exception of agricultural special purpose roads and rural driveways.” An agricultural special purpose road is defined as serving agricultural use or facilities, but not housing. Rural driveway is specified as serving no more than three dwelling units on a single parcel, and a number of accessory buildings.
- “Minimum structural section shall be 2 inches of asphalt/concrete over 5 inches of aggregate base.” (county road and street standards)
- “Common Drive: Serves as access to three, four, five or six dwelling units based on ultimate development. Developments that have a legal and practical potential for redivision into more than 6 parcels will not qualify for use of common drives. (county road and street standards)
- Design criteria for Common Drive Type II (hill country): Minimum design speed of 15 mph, Minimum centerline radius of 50’, Minimum stopping sight distance of 75’, Maximum grade of 20%.
- Additional road requirements might include turnouts, fire truck needs, radius requirements and use limits.
- “All roads shall be constructed to provide a minimum of two nine-foot traffic lanes and two foot earth shoulder providing two-way traffic flow. Exception is made for special purpose roads and rural driveways.” (county road and street standards)
- “One-Way Roads: All one-way roads shall be constructed to provide a minimum of one 10-foot traffic lane. All one-way roads shall connect to a two-lane roadway at both ends, and shall provide access to an area currently zoned for no more than 10 dwelling units. In no case shall it exceed 2640 feet in length.” (a half mile)
- **Easements:** The County of Napa imposed a condition on granting the lot line adjustment that creates the four lots on the New Land, that each parcel must have “legal access.” This means either a recorded easement or what is called a “prescriptive easement” based upon long-existing use. Because there has been no real recent use of these parcels, and because portions of the access road cross government land for which no prescriptive easement is allowed, we need to acquire easements from the neighbors across whose lands the road passes before the lots can be legally recorded. An application is pending with the Bureau of Land Management but it will be another month or two before we get their permission as they must first do an environmental assessment. We have been offered an “unspecified” easement across an adjoining neighbor’s property which would allow us to legally create the parcels more quickly, and are working with him to get the easement documents prepared. He suggests that we build a new road through his property that would not cross anyone else’s property to get to the new land parcels, but the new road would probably not be in service until much later in the year. This would avoid the need to get an easement for the existing road to the Retreat Center from another neighbor who is reportedly not very cooperative and who may demand to be paid for granting an easement, which we may not be able to afford. We intend to obtain easements for one or more roads providing legal access to the parcels, but this will take some time. Until then, no one is objecting to our use of the existing road to access the parcels.
- **Road Cost Sharing Agreement:** Buyers will be expected to enter into a Road Maintenance Agreement with the other landowners using the road. It is anticipated that

costs will be shared in proportion to expected use by a formula. The agreement is not yet available for review. In addition to the four parcels on the new land, and the 74 acre meadow parcel, other users include Dan Cunningham and Ibrahim Jaffe, whose parcels lie beyond the new land parcels.

Septic: Napa County allows septic systems for domestic use. No public sewer is available on or near the new land. Cost of a septic system depends on soil type and depth, size of house, and ease of construction. Presently, a typical system for a 3 bedroom home runs about \$10,000 in Napa County. If soil limitations require an “engineered” septic system, current costs run about \$30,000 or more. In some circumstances, adequate soil in a desired building location can be a limiting factor for obtaining permitting. All of the lots have meadow areas which are likely to be acceptable areas for septic leach lines, but which may be at some distance from the best home sites. **(Note regarding all dollar estimates in this packet: these amounts were obtained from informal discussions with local residents, suppliers or internet research, and are only approximate. Please do your own research. No bids or quotes for the necessary work have been or are intended to be obtained, and any such bids could be for much more than indicated due to location, terrain, access issues, etc.)**

Power: All the parcels being sold are currently “off the grid”.

- Conventional Power: The distance from the old farmhouse on the new land to the Walter Springs (Sufi Center) power pole is approximately 4,300 feet (measured in a straight line). This distance would probably increase to a mile or a mile and a half if following existing roads installing poles or trenching. A rough estimate for new power line cost is about \$100,000 per mile (above ground) for poles and wires.
- Power may also be available from Berryessa Estates, through Ibrahim’s parcel on Putah Creek, and from there to the new land parcels. This may be shorter for some parcels.
- Conventional power will probably be necessary for the retained SSC piece because of its proposed use for the healing school and a healing center. So costs to bring power in could be shared among the various parcels that want grid power. This may be cheaper than a solar installation, but obviously requires ongoing payments to purchase power from Pacific Gas & Electric Company (PG&E), the local utility company.
- Pope Valley is an excellent location for solar energy, with lots of sunny days.. Solar can be a reliable source of power for a home, with occasional use of a backup generator for extended cloudy weather. Solar systems for households vary a lot depending on appliance needs, size of home, whether batteries are included and who installs. A home system could run from about \$25,000 to \$45,000 and more, depending on size and features desired. After this initial cost, power is free, although batteries require replacement every 5-15 years.

Schools: The closest public school in the area is Pope Valley Elementary (Pope Valley school district), which is about a 15 minute drive from the land. This is a small rural school with a half dozen teachers. Howell Mountain Elementary (Howell Mountain School district) is located in Angwin (about a 25 minute drive from the land). It is a bit larger than Pope Valley school, and offers PE, art, and music. Both schools welcome visits from parents and students considering living in this area; it is a good idea to go tour the schools and get the “flavor” of the schools.

The Napa county high school available is located in St. Helena School District (St. Helena High School).

Middletown School district (about a 40 minute drive from the land) is a relatively large district. This school district has more of a “cowboy” feel (writer’s opinion). The district has 3 elementary schools, a middle school and a high school. There is also a relatively new “International” charter school. Transfer paperwork would be required, since it is located in Lake County.

Most school districts have web sites online.

Weather: Average rainfall and temperatures for Pope Valley are listed below. On the positive side, humidity is low and nighttime temperatures are nearly always comfortably cool. We typically experience one or two heat periods each year, usually a week or two, when temperatures become (unbearably) hot, with highs up to 115 degrees.

Records and Averages

[Daily Records and Averages at weather.com](http://www.weather.com)

| Month | Avg. High | Avg. Low | Avg. Precip. | Rec. High | Rec. Low |
|----------|-----------|----------|--------------|---------------------|----------------------|
| January | 55.0° F | 38.0° F | 5.10 in | 79.0° (01/09/1962) | 18.0° F (01/04/1950) |
| February | 61.0° F | 41.0° F | 4.67 in | 80.0° (02/24/1991) | 22.0° F (02/08/1989) |
| March | 67.0° F | 44.0° F | 3.60 in | 92.0° (03/27/1988) | 28.0° F (03/10/1951) |
| April | 74.0° F | 48.0° F | 1.03 in | 96.0° (04/14/1990) | 29.0° F (04/02/1954) |
| May | 83.0° F | 53.0° F | 0.64 in | 107.0° (05/29/1984) | 30.0° F (05/12/1984) |
| June | 91.0° F | 58.0° F | 0.12 in | 115.0° (06/16/1961) | 44.0° F (06/01/1971) |
| July | 96.0° F | 60.0° F | 0.03 in | 115.0° (07/14/1972) | 46.0° F (07/21/1955) |
| August | 94.0° F | 59.0° F | 0.05 in | 113.0° (08/09/1978) | 44.0° F (08/28/1955) |
| Sept. | 90.0° F | 57.0° F | 0.26 in | 112.0° (09/04/1950) | 42.0° F (09/04/1960) |
| October | 80.0° F | 51.0° F | 1.00 in | 103.0° (10/04/1958) | 32.0° F (10/21/1949) |
| November | 65.0° F | 43.0° F | 2.87 in | 90.0° (11/02/1967) | 25.0° F (11/28/1948) |
| December | 56.0° F | 37.0° F | 3.45 in | 79.0° (12/13/1958) | 15.0° F (12/23/1990) |

Deleted:

Right of First Refusal: Each lot to be sold will be subject to a right of first refusal option requiring that the lot be offered first to either SSC or USHS before being sold to another person.

Financing:

- US Bank in Napa has indicated a willingness to finance smaller lots (50 acres or so), with a view to ultimately being the lender on a home to be built on the property.

- Napa Community Bank in Napa also indicates a willingness to finance land purchases. Sounds like a very friendly, service-oriented local bank.
- A local (St. Helena) real estate broker (Nancy Meacham, Morgan Lane Real Estate) with extensive land sales experience indicated she also knows of private lenders with funds available.

The foregoing description is intended to provide as much relevant information as possible in the spirit of full disclosure. This represents a best effort to inform. No representation is made that this presents all information that could possibly be important for everyone considering participation in this property. Anyone considering participation should conduct thorough due diligence to become fully and adequately informed. Your signature below acknowledges that you have read, understood the information presented and that you accept full personal responsibility for undertaking your own due diligence process before participating in this opportunity.

Signed:

Name (printed):

Date: