

Proposed Revisions to Oxbow MOU

June 13, 2013

1. Oxbow will have opportunity to comment on the construction MOU betw the Corps and Diversion Authority for the Oxbow Hickson Bakke Levee.
2. Offset for Loss of Tax Base-- instead of annual comparison of tax base of entire city of Oxbow, will use the 42 replacement lots and offset will be proportionately reduced--one-42nd for each replacement home that is built.
3. Some clarifications:
 1. Design and construction will include drainage and pump stations for entire area protected by the Levee.
 2. Div Auth will install infrastructure (streets, sewer, water, etc) for both the 42 replacement lots as well as for the 38 lots to accommodate those who may relocated to Oxbow from Upstream Staging area
 3. Div Auth will indemnify and defend Oxbow if Oxbow sued for actions of the Diversion Authority related to this levee project
 4. the special assessment of Oxbow for maintenance of the levee will be in the same manner as assessment of other lands benefited by the overall Diversion Project
 5. The same rental arrangements offered to homeowners will be made available to Oxbow CC
 6. Turnover of the O-H-B Levee will only occur after 53 years if the Diversion Authority or a successor entity is no longer in existence.
 7. Where part of the levee is used for golf course purposes or parkland purposes, the Diversion Authority only responsible for maintenance of the functional area of the levee. Areas outside of that that remain in Diversion Authority ownership will be maintained by city of Oxbow and/or Oxbow CC through maintenance easement.