

Recording Requested by and)
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)
Town of Mammoth Lakes)
Community & Economic Development Department)
P.O. Box 1609)
Mammoth Lakes, CA 93546)_

Exempt from Recording Fees – Gov’t Code §27383

Space Above for Recorder’s Use

**AGREEMENT FOR VOLUNTARY RESCISSION OF VESTING TENTATIVE MAP (VTTM) 09-001
FOR 94 AND 150 BERNER STREET, MAMMOTH LAKES
ASSESSOR PARCEL NUMBERS (APNS): 033-041-011-000 and 039-030-014-000**

RECITALS

- A. Greens Berner Street, LLC (“Owner”) owns the real property located at 150 and 94 Berner Street Commerce in Mammoth Lakes (the “Property”). On April 8, 2022, Owner submitted a written request to voluntarily surrender a vesting tentative tract map and conditional use permit previously granted by the Town of Mammoth Lakes for uses on the Property.
- B. The property is currently encumbered with the current Vesting Tentative Tract Map and Use Permit entitlement. To approve a new subdivision map and use permit the existing entitlements must be rescinded.
- C. It is in the interest of the Town of Mammoth Lakes to have conditional use permits which are no longer being used be abandoned or surrendered, so that future uses on a property may be considered on their own merits and supersede the previous approved entitlements.

AGREEMENT

- 1. The Town of Mammoth Lakes acknowledges Owner’s request to surrender: (a) **Vesting Tentative Tract Map (VTTM) 09-001** for a 101-Room, 28 Unit Fractional and/or wholly owned hotel project applicable to 150 and 94 Berner Street (APN #033-041-011-000 and 039-030-014-000) recorded March 22, 2010, as Document number #2010001397 of official records of Mono County California; and (b) **Use Permit (UPA) 09-001** for a 101-room, 28 unit fractional and/or wholly owned hotel project applicable to 150 and 94 Berner Street (APN #033-041-011-000 and 039-030-014-000) recorded March 22, 2010, as Document number #2010001397 of official records of Mono County California.
- 2. Vesting Tentative Tract Map (VTTM) 09-001 and Use Permit (UPA) 09-001 are hereby surrendered and rescinded and shall be of no further force or effect as of the date of the last signature below.

Property Owner:

Date

by: _____
Ashutosh Kadakia, CFO, Greens Berner Street, LLC

Town of Mammoth Lakes:

Date

by: _____
Dan Holler
Town Manager

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Mono }

On _____ before me, _____ personally
appeared _____

who proved to me on the basis of satisfactory evidence to be the persons whose name(s) is
subscribed to the within instrument and acknowledged to me that he executed the same in his
authorized capacity (ies), and that by his signature(s) on the instrument the person(s), or the entity
upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary

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