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February 7, 2012

rskidmore@coombslaw.com

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Reply to Napa Office

By E-mail and U.S. Mail

Richard P. Mendelson, Esq.
Dickenson, Peatman & Fogarty
809 Coombs Street
Napa, California 94559

RE: Swanson Winery

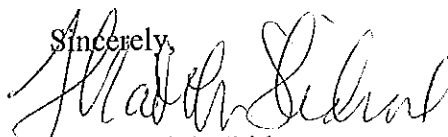
Dear Mr. Mendelson:

As you know, our firm represents David Durham and Marcy Bergman, who are neighbors of the Swanson's on Money Road in Oakville.

I submitted a letter to the Napa County Planning Department on July 21, 2011, objecting to your client's use permit application on grounds set forth in the letter. You recently filed an amended application, adding a number of modifications in design. Your client also added deed restrictions on the adjacent parcel, and signage on Money Road prohibiting winery parking, among several other things. These amendments were intended in part to address our client's concerns, and they have significantly done so.

As a result of the amended application, our clients hereby withdraw their earlier objections to the project, and will not oppose it before either the Planning Commission or Board of Supervisors; provided, however, they reserve the right to comment on, or object to, the project if any material, adverse changes are made to the project, whether they are imposed by the county, or proposed by your client or others. A "material, adverse change" includes, but is not limited to, a change providing for parking on or access off Money Road for other than emergency purposes; a change in the design of the facilities, which results in either increasing its size or in eliminating additional mature trees; a change in the drainage plans, which either reduces sump pump capacity, or eliminates or reduces the capacity of the proposed swale on the east side of the facilities; a change in the marketing plan, which results in increasing the numbers of visitors, or any change in the deed restrictions.

Sincerely,



L. Randolph Skidmore

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/lrs/22764-0001

Cc (by email only): Marcy J. Bergman, David S. Durham, Brent Edwards, Drew Lander, Chris Cahill

RICHARD MENDELSON
rmendelson@dpf-law.com

February 8, 2012

L. Randolph Skidmore
Coombs & Dunlap
1211 Division Street
Napa, CA 94559

Re: Swanson Winery

Dear Randy:

Thanks for your letter dated February 7, 2012. My clients, Clarke and Elizabeth Swanson, appreciate your clients' input on the winery project. Per your request, I want to confirm that the Swansons will record the deed restrictions upon issuance of the final certificate of occupancy for the winery.

Sincerely,

DICKENSON, PEATMAN & FOGARTY

A handwritten signature in black ink, appearing to be 'R Mendelson', written over a horizontal line.

Richard Mendelson

RPM:jk

cc: W. Clarke Swanson, Jr.
Chris Cahill