DOUGLAS J. MALONEY, County Counsel Suite 342, Civic Center 2 San Rafael, CA 94903 Telephone: (415) 499-6117 • 3 Attorney for Defendant, COUNTY OF MARIN 4. 5 6 7 8 SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 COUNTY OF MARIN 10 JOE SHEKOU, HAIDY SHEKOU, WILLIAM J. BIELSER, AUDREY BIELSER, ASHLEY) No. 147042 11 BIELSER, CHRISTOPHER BIELSER, WESTLAND HOUSING INC., a 12 California Corporation, DECLARATION OF ROBERT ROUMIGUIERE IN 13 Plaintiffs SUPPORT OF COUNTY OF MARIN'S SEPARATE STATE-14 MENT IN OPPOSITION TO PLAINTIFFS' MOTION FOR 15 SUMMARY JUDGMENT vs. HEARING DATE: 10/30/91 16 CITY OF SAN RAFAEL, a municipal TIME: 9:00 A.M. corporation and COUNTY OF MARIN, DEPARTMENT: 5 17 a political subdivision of the TRIAL DATE: State of California, 18 Defendants. 19 20 CITY OF SAN RAFAEL, 21 Cross-Complainant, 22 vs. 23 JOE SHEKOU, et al. 24 Cross-Defendant. 25 26 ROBERT ROUMIGUIERE declares: 27 I have been a Marin County Supervisor since September 26, 28 1972.

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2. On or about December 14, 1983, I was the Chairman of the Marin County Board of Supervisors. At that time I was contacted by Dwight Winther on behalf of Coleman Consultants, which firm represented the owners of a development project known as Civic Center North, located in the City of San Rafael and my supervisorial district.

- 3. Mr. Winther asked me to present the declaration of restrictions, which is the subject matter of this litigation, to the Board of Supervisors for consideration and approval on an expedited pasis, due to time constraints the developer was experiencing.
- 4. I had previously urged the City of San Rafael to require a declaration of restrictions of this type and nature as a condition of approval of the Civic Center North project to retrievante adverse impacts engendered by the density allowed for this project. If the Declaration of Restrictions had not been required, I, on behalf of my constituents in the vicinity, would have urged to city to reduce the allowed density for the project.
- 5. In my opinion, based on my experience as a County Supervisor, during which I considered scores of land development projects, the Declaration of Restrictions was an integral factor in the approval of the Civic Center North project at the allowed density.

I DECLARE UNDER PENALTY OF PERJURY, that the foregoing is true and correct.

Executed at San Rafael, California , October 15, 1991

ROBERT ROUMIGUIERE

File #: ZC05-01/UP05-08/ED05-15 Title: Covenant of Restrictions Exhibit: 3-3

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