

April 12, 2012



Aarti Shrivastava  
City of Cupertino  
Director of Community Development  
10300 Torre Avenue  
Cupertino, CA 95014-3202

Re: Apple Campus 2 Project: Acknowledgement of Obligations under Public Resources Code § 21183(d), (e) and (f)

Dear Ms. Shrivastava:

As you are aware, Apple Inc. has applied to the California Governor to request certification of the Apple Campus 2 Project (the "Project") as a Leadership Project subject to streamlined environmental review pursuant to the Jobs and Economic Improvement through Environmental Leadership Act of 2011 (the "Act"), California Public Resources Code § 21178 et seq. By this letter, Apple acknowledges and agrees to its obligations under the Act as set forth at Public Resources Code § 21183(d), (e), and (f).

As required by Public Resources Code § 21183(d), Apple agrees that all mitigation measures required pursuant to CEQA to certify the Project under the Act shall be conditions of approval, and those conditions will be fully enforceable by the City of Cupertino (the "City") or another agency designated by the City. Apple Inc. agrees that all environmental mitigation measures required to certify the Project under the Act will be monitored and enforced by the City for the life of the obligation.

As required by Public Resources Code § 21183(e), Apple Inc. agrees to pay the costs of the Court of Appeal in hearing and deciding any case, including payment of the costs for the appointment of a special master if deemed appropriate by the court, in a form and manner specified by the Judicial Council, as provided in the Rules of Court adopted by the Judicial Council pursuant to the Act.

As required by Public Resources Code § 21183(f), Apple Inc. agrees to pay the costs of preparing the administrative record for the Project, in a form and manner specified by the City, concurrent with review and consideration of the Project pursuant to CEQA and the Act.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Oppenheimer".

Peter Oppenheimer  
SVP and Chief Financial Officer

Acknowledged and agreed to by:

A handwritten signature in blue ink, appearing to read "Aarti Shrivastava" with the date "05/24/12" written to the right.

Aarti Shrivastava  
Community Development Director  
City of Cupertino

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Cupertino, CA 95014

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