

Attachment F  
Conservation and  
Scenic Easement Deed

California-American Water Company  
PLN120817



BOARD OF SUPERVISORS

G 35268 -

RECORDED AT REQUEST OF REEL 1434 PAGE 219

BOARD OF SUPERVISORS

SEP 19 8 39 AM '80

OFFICE OF RECORDER  
COUNTY OF MONTEREY  
SALINAS, CALIFORNIA

CONSERVATION AND SCENIC EASEMENT DEED

THIS DEED made this 6th day of June  
19 80, by and between Clyn Smith, Clyn Smith III, Brian T. Smith, Sharon J. Smith  
and Clyn Smith III, Trustee of the Pamela K. Smith Trust

NO FEE

as Grantor, and the COUNTY OF MONTEREY, a political subdivision of the State of California, as Grantee;

WITNESSETH:

WHEREAS, the said Grantor is the owner in fee of the real property hereinafter described, situate in Monterey County, California; and

WHEREAS, the said land of said Grantor has certain natural scenic beauty and existing openness; and

WHEREAS, the Grantor and the Grantee desire to preserve and conserve for the public benefit the great natural scenic beauty and existing openness, natural condition and present state of use of said property of the Grantor; and

WHEREAS, the said Grantor is willing to grant to the County of Monterey the scenic use as hereinafter expressed of the said land, and thereby protect the present scenic beauty and existing openness by the restricted use and enjoyment of said property by the Grantor through the imposition of the conditions hereinafter expressed;

NOW, THEREFORE, for and in consideration of the premises, the Grantor does hereby grant and convey unto the County of Monterey an estate, interest, and conservation and scenic easement in said real property of Grantor of the nature and character and to the extent hereinafter expressed, which estate, interest, and easement will result from the restrictions hereby imposed upon the use of said property by said Grantor, and to that end and for the purpose of accomplishing the intent of the parties hereto, said Grantor covenants on behalf of itself, its heirs, successors, and assigns with the said Grantee, its successors and assigns to do and refrain from doing severally and collectively upon the Grantor's said property the various acts hereinafter mentioned.

The restrictions hereby imposed upon the use of said property of the Grantor and the acts which said Grantor shall refrain from doing upon their said property in connection herewith are, and shall be, as follows:

1. That no structures will be placed or erected upon said described premises except fences and utilities.

2. That no advertising of any kind or nature shall be located on or within said property, .

3. That the Grantor shall not plant nor permit to be planted any vegetation upon said premises, except orchards, vineyards, gardens for domestic use, landscaping accessory to residential use and consistent with the nature of the land, and planting for erosion control.

4. That, except for the construction, alteration, relocation and maintenance of public roads, public and private pedestrian trails, public and private equestrian trails, utilities and other uses described herein.

the general topography of the landscape shall be maintained in its present condition and no excavation or topographic changes shall be made.

5. That no use of said described property which will or does materially alter the landscape or other attractive scenic features of said land other than those specified above shall be done or suffered.

The land of the Grantor hereinabove referred to and to which the provision of this instrument apply is situate in the County of Monterey, State of California, and is particularly described in Exhibit A, attached hereto, and made a part hereof.

Excepting and reserving to the Grantor:

(1) The right to maintain all existing private roads, bridges, trails and structures upon said land, and the right to maintain existing utilities.

(2) The use and occupancy of said land not inconsistent with the condition and restrictions herein imposed.

Land uses permitted, or reserved to the Grantor by this instrument shall be subject to the ordinances of Grantee regulating the use of land.

To have and to hold unto the said County of Monterey, its successors and assigns forever. This grant shall be binding upon the heirs and assigns of the said Grantor.  
Grantor

Sharon F. Smith Brian T. Smith Clyn Smith, III  
Clyn Smith Clyn Smith, III as Trustee  
COUNTY OF MONTEREY


By Michal Moore  
Chairman, Board of Supervisors  
GRANTEE

(To be followed by appropriate acknowledgement of signature of Grantor)

STATE OF CALIFORNIA )  
COUNTY OF Monterey ) ss.

ON June 6, 19 80,  
before me, the undersigned, a Notary Public in and for said State, personally appeared  
Clyn Smith, Sharon J. Smith, Brian T. Smith,  
Clyn Smith III and Clyn Smith III as Trustee  
known to me,  
to be the persons whose names are subscribed to the within instrument,  
and acknowledged to me that they executed the same.

WITNESS my hand and official seal.



OFFICIAL SEAL  
MARGARET L. COWLEY  
NOTARY PUBLIC - CALIFORNIA  
MONTEREY COUNTY  
My comm. expires JAN 6, 1981

Margaret L. Cowley  
Margaret L. Cowley  
NAME (TYPED OR PRINTED)  
Notary Public in and for said State.

ACKNOWLEDGMENT—General—Walcotts Form 231—Rev. 3-64

STATE OF CALIFORNIA )  
COUNTY OF MONTEREY ) ss.

On this 16th day of SEPTEMBER, 19 80, before me,  
ERNEST A. MAGGINI County Clerk of the County of Monterey, and ex-officio  
Clerk of the Board of Supervisors and of the Superior Court, in and for said County and State,  
personally appeared MICHAL MOORE, known to me to be the Chairman  
of said Board of Supervisors of the County of Monterey, and known to me to be the person who  
executed the within instrument on behalf of said political subdivision, and acknowledged to  
me that such County of Monterey executed the same. ;

ERNEST A. MAGGINI  
County Clerk and ex-officio Clerk of the  
Board of Supervisors of Monterey County,  
State of California  
By Inda Monday  
DEPUTY CLERK

EXHIBIT "A"

REEL 1434 PAGE 222

That certain real property situate in the County of Monterey, State of California, described as follows:

That area designated as "scenic easement" as shown on that Parcel Map filed the 19TH day of SEPTEMBER, 1980 in Volume 14 of Cities and Towns at page 42, Monterey County Records. TRACT NO. 907

Before the Board of Supervisors in and for the  
County of Monterey, State of California

ACCEPT FINAL MAP, BONDS, IMPROVEMENT )  
AGREEMENT AND SCENIC EASEMENT DEED )  
FOR RANCHO DEL SOL SUBDIVISION )  
APPROVED . . . . . )

REEL 1434 PAGE 223

A Final Map of Rancho Del Sol Subdivision, having been presented, said map is hereby approved for filing and all offers of dedications for public use are accepted in conformity with the terms of the offer of dedication.

Pursuant to Government Code, Section 66436, the Board waives the signatures of the officers of the Monterey County Water Works, Pacific Telephone and Telegraph Company, the County of Monterey, Stewart Capital Corporation, and individuals Joe E. and Mary G. Wolter, Charles A. Kiernan, Anne Wash, Murry L. Vout, Herman W. Fletcher, Howard Brunn, Robert S. Talbott, Courtney Brunn, etvir, Jack L. and Caroline Stein, or their successors as easement and/or agreement holders, as their names and the nature of their interests are shown on the Final Map, and such interests cannot ripen into a fee.

A Performance Bond in the form of an "Irrevocable Letter of Credit", No. 06-010, in the amount of \$100,000; Labor and Material Bond in the form of an "Irrevocable Letter of Credit", No. 06-009, in the amount of \$50,000; and a Subdivision Monument Bond in the form of an "Irrevocable Letter of Credit", No. 06-008, in the amount of \$4,000; all issued by Valley National Bank and Subdivider, posted to insure the completion of certain improvements within the Subdivision as required by County Ordinance 1713 and the State of California "Subdivision Map Act", are hereby accepted.

A Tax Bond in the amount of \$3,750, in the form of a "Certificate of Deposit", No. A 4137, issued by Valley National Bank, posted to guarantee the payment of taxes which are a lien, but not yet due nor payable on the lands embraced within said subdivision is accepted.

A deposit in the form of a Check, No. 363, in the amount of \$1,040, from Clyn Smith, for in lieu fees for Recreation Facilities as prescribed in Section 3.61 of the Subdivision Ordinance is accepted.

A Conservation and Scenic Easement Deed for parcels designated "Scenic Easement", as shown on said map, is accepted. The Clerk is directed to record this document.

The Chairman of the Board is hereby authorized to execute the Subdivision Improvement Agreement to complete the improvements within the Rancho Del Sol Subdivision.

PASSED AND ADOPTED this 16th day of SEPTEMBER, 1980, upon motion of Supervisor BLOHM, seconded by Supervisor FARR and unanimously carried.

I, ERNEST A. MAGGINI, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof at page \_\_\_\_\_ of Minute Book 44, on SEPTEMBER 16, 1980

Dated: SEPTEMBER 16, 1980

ERNEST A. MAGGINI, County Clerk and ex-officio Clerk of the Board of Supervisors, County of Monterey, State of California.

By Jinda Munday Deputy.

CLERK #01

**END OF DOCUMENT**