

Attachment F  
Conservation and Scenic Easement Deed  
(Inland)

Charles E. & Judy A. Martin Trust,  
Trustees of the Martin Living Trust  
PLN070197

When recorded return to:  
MONTEREY COUNTY RESOURCE  
MANAGEMENT AGENCY  
PLANNING DEPARTMENT  
Attn: Lucy Bernal  
168 West Alisal St 2<sup>nd</sup> Floor  
Salinas, CA 93901  
(831) 755-5025

Space above for Recorder's Use

Permit No.: Charles E & Judy A Martin  
Trustees of the Martin Living  
Trust UDT July 25, 2005

Resolution No.: 12-146

Owner Name: Charles E & Judy A Martin  
Trustees of the Martin Living  
Trust UDT July 25, 2005

Project Planner: Lucy Bernal

APN: 216-013-019-000

The Undersigned Grantor(s) Declare(s):  
DOCUMENTARY TRANSFER TAX OF \$ 0  
 computed on the consideration or full value of  
property conveyed, OR  
 computed on the consideration or full value less  
value of liens and/or encumbrances remaining at  
time of sale,  
 unincorporated area; and  
 Exempt from transfer tax,  
Reason: Transfer to governmental entity

  
\_\_\_\_\_  
(Signature of Declarant or Agent)

## ***CONSERVATION AND SCENIC EASEMENT DEED (INLAND)***

**THIS DEED** made this 19<sup>th</sup> day of June, 2012, by and between Charles E & Judy A Martin Trustees of the Martin Living Trust UDT July 25, 2005 as Grantor, and the COUNTY OF MONTEREY, a political subdivision of the State of California, as Grantee,

### **WITNESSETH:**

**WHEREAS**, said Grantor is the owner in fee of the real property more particularly described in Exhibit "A" attached hereto and made a part hereof, situated in Monterey County, California (hereinafter "the Property"); and

**WHEREAS**, the Property 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**, a **Combined Development Permit** (Permit No. **PLN070197**) (hereinafter referred to as the "Permit") was granted on **June 19, 2012** by the Monterey

County **Board of Supervisors** pursuant to the Findings, Evidence and Conditions contained in Resolution No. **12-146** attached hereto as Exhibit "B" and hereby incorporated by reference, (hereinafter the "Resolution") subject to the following condition(s): A Scenic Easement shall be conveyed to the County over those portions of the property where the slope exceeds 25% percent. The easement shall be developed in consultation with certified professional. (RMA Planning Department)

**WHEREAS**, the County, acting on behalf of the People of the State of California and in accordance with the Findings, Evidence and Conditions contained in the Resolution granted the Permit to the Grantor upon condition (hereinafter the "Condition") described above requiring inter alia, that the Grantor record a scenic easement (hereinafter "easement") over the Property as shown in Exhibit "C" attached hereto and hereby incorporated by reference, and agree to restrict development on and use of the Property so as to preserve the open space, scenic, and/or natural resource values present on the Property and so as to prevent the adverse direct and cumulative effects on natural resources and public access to those resources which could occur if the Property were not restricted in accordance with this easement; and

**WHEREAS**, Grantor has elected to comply with the Condition and execute this easement so as to enable Grantor to undertake the development authorized by the Permit; and

**WHEREAS**, it is intended that this easement is irrevocable and shall constitute enforceable restrictions within the meaning of Article XIII, Section 8, of the California Constitution and that said easement shall thereby qualify as an enforceable restriction under the provision of the California Revenue and Taxation Code, Section 402.1; and

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

**NOW, THEREFORE**, 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 purposes 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 Property the various acts hereinafter mentioned.

A. PROPERTY SUBJECT TO EASEMENT. The Property of the Grantor hereinabove referred to and to which the provisions of this instrument apply is situated in the County of Monterey, State of California, and is particularly described in Exhibit "C", attached hereto, and made a part hereof, hereinafter referred to as the "Conservation and Scenic Easement Area." Or Scenic Easements as depicted on Exhibit "C"

B. RESTRICTIONS. The restrictions hereby imposed upon the use of the Conservation and Scenic Easement Area by the Grantor and the acts which said Grantor shall refrain from doing upon the Conservation and Scenic Easement Area in connection herewith are, and shall be, as follows:

1. That no structures will be placed or erected upon the Conservation and Scenic Easement Area.

2. That no advertising of any kind or nature shall be located on or within the Conservation and Scenic Easement Area except.

3. That the Grantor shall not plant nor permit to be planted any vegetation upon the Conservation and Scenic Easement Area.

4. That, except for the construction, alteration, relocation and maintenance of public roads, public and private pedestrian trails, 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 the Conservation and Scenic Easement Area which will or does materially alter the landscape or other attractive scenic features of said Property other than those specified above shall be done or suffered.

C. EXCEPTIONS AND RESERVATIONS. The following are excepted and reserved to the Grantor to be implemented consistent with the objectives, purposes, and conditions of this easement:

1. The right to maintain all existing private roads, bridges, trails and structures upon the Conservation and Scenic Easement Area.

2. The use and occupancy of the Conservation and Scenic Easement Area not inconsistent with the conditions and restrictions herein imposed.

3. Management of vegetation within the Conservation and Scenic Easement Area in accordance with the Fuel Management Plan approved with the Permit on file with the Monterey County Planning Department.

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

E. BENEFIT AND BURDEN. This grant of conservation and scenic easement shall run with and burden the Property, and all obligations, terms, conditions, and restrictions hereby imposed shall be deemed to be covenants and restrictions running with the land and shall be effective limitations on the use of the Property from the date of recordation of this document and shall bind the Grantor and all of its successors and assigns. This grant shall benefit the County of Monterey and its successors and assigns forever.

F. RIGHT OF ENTRY. The Grantee or its agent may enter onto the Property to ascertain whether the use restrictions set forth above are being observed at times reasonably acceptable to the Grantor.

G. ENFORCEMENT. Any act or any conveyance, contract, or authorization whether written or oral by the Grantor which uses or would cause to be used or would permit use of the Conservation and Scenic Easement Area contrary to the terms of this grant of easement will be deemed a breach hereof. The Grantee may bring any action in court necessary to enforce this grant of easement, including, but not limited to, injunction to terminate a breaching activity and to force the restoration of all damage done by such activity, or an action to enforce the terms and provisions hereof by specific performance. It is understood and agreed that the Grantee may pursue any appropriate legal and equitable remedies. The Grantee shall have sole discretion to determine under what circumstances an action to enforce the terms and conditions of this grant of easement shall be brought in law or in equity. Any forbearance on the part

of the Grantee to enforce the terms and provisions hereof in the event of a breach shall not be deemed a waiver of Grantee's rights regarding any subsequent breach.

H. MAINTENANCE. The Grantee shall not be obligated to maintain, improve, or otherwise expend any funds in connection with the Property or any interest or easement created by this grant of easement. All costs and expenses for such maintenance, improvement use, or possession shall be borne by the Grantor, except for costs incurred by Grantee for monitoring compliance with the terms of this easement.

I. LIABILITY AND INDEMNIFICATION. This conveyance is made and accepted upon the express condition that the Grantee, its agencies, departments, officers, agents, and employees are to be free from all liability and claim for damage by reason of any injury to any person or persons, including Grantor, or property of any kind whatsoever and to whomsoever belonging, including Grantor, from any cause or causes whatsoever, except matters arising out of the sole negligence of the Grantee, while in, upon, or in any way connected with the Property, Grantor hereby covenanting and agreeing to indemnify and hold harmless the Grantee, its agencies, departments, officers, agents, and employees from all liability, loss, cost, and obligations on account of or arising out of such injuries or losses however occurring. The Grantee shall have no right of control over, nor duties and responsibilities with respect to the Property which would subject the Grantee to any liability occurring upon the Property by virtue of the fact that the right of the Grantee to enter the Property or Conservation and Scenic Easement Area is strictly limited to preventing uses inconsistent with the interest granted, the Property is not "property of a public entity" or "public property," and Grantee's rights herein do not include the right to enter the Property or Conservation and Scenic Easement Area for the purposes of correcting any "dangerous condition" as those terms are defined by California Government Code Section 830.

J. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions, obligations, and reservations contained in this conveyance shall be binding upon and inure to the benefit of the successors and assigns of both the Grantor and the Grantee, whether voluntary or involuntary.

Executed this 1st day of November, 2012, at Salinas, California.

The Martin Living Trust  
UDT July 25, 2005

By: Charles E. Martin  
(Signature)

Charles E. Martin, Trustee  
(Print or Type Name and Title)

The Martin Living Trust  
UDT July 25, 2005

By: Judy A. Martin  
(Signature)

Judy A. Martin, Trustee  
(Print or Type Name and Title)

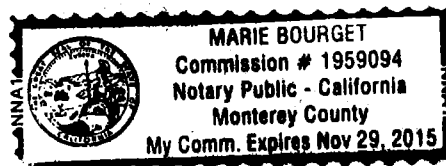
STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF MONTEREY )

On November 1, 2012 before me, Marie Bourget, a Notary Public, personally appeared Charles E. Martin and Judy A. Martin, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their 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 Marie Bourget



(Seal)

STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF MONTEREY )

On \_\_\_\_\_ before me, \_\_\_\_\_, a Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their 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 \_\_\_\_\_

(Seal)



This is to certify that the interest in real property conveyed by the deed or grant dated JULY 25, 2005 from CHARLESE J. SWAY MARTIN to the County of Monterey, a political corporation and/or governmental agency is hereby accepted by order of the Board of Supervisors on JUN 19, 2012, (or by the undersigned officer or agent on behalf of the County of Monterey pursuant to authority conferred by resolution of the Board of Supervisors adopted on JUN 19, 2012.) and the grantee consents to recordation thereof by its duly authorized officer.

DATED: \_\_\_\_\_.

Type/Print Name: \_\_\_\_\_

Chair, Monterey County Board of Supervisors

STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF MONTEREY )

On \_\_\_\_\_ before me, \_\_\_\_\_, a Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their 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 \_\_\_\_\_

(Seal)

Document Form/Content Acceptable:

Charles, J. McKee, County Counsel  
By: Cynthia L. Hanson  
Type/Print Name: Cynthia L. Hanson  
Deputy County Counsel

DATED: 11-7-12

**CERTIFICATE OF ACCEPTANCE AND  
CONSENT TO RECORDATION**

This is to certify that the interest in real property conveyed by the **CONSERVATION AND SCENIC EASEMENT DEED (INLAND)** dated **June 19, 2012**, from **Charles E. & Judy A. Martin, Trustees of the Martin Living Trust UDT July 25, 2005** ("Grantor"), as their interest appears of record, to the **COUNTY OF MONTEREY**, a political corporation and/or governmental agency ("Grantee") is hereby accepted by Order and/or **Resolution No. 2012-\_\_\_\_\_** of the Board of Supervisors of the County of Monterey approved and adopted on **DECEMBER 11, 2012**, and **Grantee consents to recordation** thereof by its duly authorized officer.

**COUNTY OF MONTEREY**

Dated: \_\_\_\_\_, 2012 By: \_\_\_\_\_  
**DAVE POTTER**  
**Chair, Board of Supervisors**

**CLERK'S ACKNOWLEDGEMENT**

On \_\_\_\_\_ 2012, before me, \_\_\_\_\_, Clerk of the Board of Supervisors, personally appeared Dave Potter, Chair, Monterey County Board of Supervisors, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their 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.

Gail T. Borkowski,  
Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Type/Print Name:  
Deputy Clerk

Legal Reference for Acknowledgement by County Official  
California Civil Code Section 1181, 1184, 1188, 1189  
Code of Civil Procedure Section 2012

(SEAL)

EXHIBIT-A  
LEGAL DESCRIPTION

CERTAIN real property situate in the Rancho Paraje de Sanchez, County of Monterey, State of California, being a portion of Parcel 2 as shown upon that certain Parcel Map filed for record on May 10, 1974 at the Office of the County Recorder of the County of Monterey in Volume 6 of Parcel Maps at Page 84, and portions described in Document:2011058907 filed for record on October 14, 2011, said real property being more particularly described as follows:

SCENIC EASEMENT-1

Beginning at the most northwest corner of Parcel 4 as shown upon that certain Record of Survey filed for record on July 24, 1986 at the Office of the County Recorder of the County of Monterey in Volume 14 of Surveys at Page 128; thence from said point of beginning

N 43° 56' 40" W, 163.09' along the boundary of said Parcel 4, thence leaving said boundary

N 44° 02' 09" W, 195.89' to the southerly right-of-way line of Escolle Road, a county road 60 wide, thence along said southerly right-of-way line

N 46° 06' 38" E, 512.45', thence leaving said southerly right-of-way line

S 29° 40' 44" E, 92.21', thence

S 21° 56' 54" E, 115.06', thence

S 38° 40' 37" E, 147.70', thence

S 31° 03' 25" E, 258.46', thence

S 51° 37' 10" E, 221.91', thence

S 49° 11' 47" E, 225.02', thence

S 61° 09' 31" E, 151.72', thence

S 40° 17' 01" E, 79.24', thence

S 5° 28' 14" W, 219.76', thence

S 17° 03' 04" W, 263.55', thence

S 32° 58' 55" W, 396.31', thence

S 32° 39' 38" W, 771.78', thence

S 48° 22' 49" W, 728.26', thence

S 18° 24' 28" W, 330.59', thence

S 9° 18' 05" W, 166.13', thence

S 31° 59' 59" W, 183.81', thence

S 16° 57' 47" W, 223.27', thence

S 21° 18' 55" W, 295.98', thence

S 0° 32' 26" E, 251.67', thence

S 28° 00' 27" W, 227.38', thence

S 9° 13' 49" W, 208.05', thence

S 30° 05' 48" W, 316.63', thence

S 28° 35' 37" W, 179.08', thence

S 45° 22' 56" W, 266.71', thence

S 74° 28' 07" W, 155.01', thence

S 46° 13' 46" W, 245.32', thence

S 23° 23' 45" W, 253.23', thence

S 56° 08' 07" W, 314.33', thence

S 82° 27' 19" W, 401.50' to the southwesterly boundary line of said Parcel 2, thence along said boundary line

N 46° 43' 48" W, 90.49' to the boundary separating Parcel 1 and Parcel 2 as shown upon that certain Parcel Map filed for record on May 10, 1974 at the Office of the County Recorder of the County of Monterey in Volume 6 of Parcel Maps at Page 84, thence continuing along said boundary

N 85° 46' 03" E, 282.28', thence

N 65° 56' 03" E, 369.79', thence leaving said boundary line and running along the northwesterly boundary of those lands described in Document:2011058907, filed for record on October 14, 2011

N 37° 06' 57" E, 971.54', thence returning to said common boundary line of Parcel 1 and Parcel 2 and continuing along said boundary

N 37° 06' 57" E, 462.22', thence

N 31° 28' 59" E, 70.83', thence

N 18° 59' 03" E, 270.18', thence

N 3° 42' 13" E, 222.98', thence

N 21° 38' 23" E, 173.85', thence  
N 12° 17' 53" E, 280.66', thence  
N 31° 45' 33" E, 312.86', thence  
N 9° 55' 53" E, 254.23', thence  
N 23° 10' 43" E, 322.97', thence  
N 55° 33' 43" E, 271.58', thence  
N 47° 15' 13" E, 404.94', thence  
N 32° 30' 03" E, 1152.78', thence leaving the boundary of said Parcel 1 and Parcel 2  
N 21° 55' 38" E, 278.49', thence  
N 03° 02' 06" W, 162.50', thence  
N 40° 17' 01" W, 29.22', thence  
N 61° 09' 31" W, 124.31', thence  
N 81° 09' 45" W, 118.89', thence  
S 74° 07' 07" W, 41.71', thence  
N 17° 34' 32" W, 176.82', thence  
N 52° 34' 27" W, 52.05', thence  
S 82° 19' 51" W, 39.29', thence  
N 56° 14' 50" W, 105.72', thence  
N 38° 48' 02" W, 45.90', thence  
N 10° 23' 09" E, 44.23', thence  
N 35° 37' 50" W, 77.36', thence  
N 27° 54' 44" W, 171.48', thence  
N 10° 52' 23" W, 45.30', thence  
N 79° 20' 05" W, 14.43', thence  
S 51° 32' 32" W, 78.83', thence  
S 34° 19' 49" W, 149.99', thence  
S 27° 50' 46" W, 88.76', thence

S 12° 22' 16" W, 84.38' to the point of beginning.

Containing an area of 18.26 acres of land, more or less.

#### SCENIC EASEMENT-2

Beginning at a point from which the most northeasterly corner of Parcel 2 as shown upon that certain Parcel Map filed for record on May 10, 1974 at the Office of the County Recorder of the County of Monterey in Volume 6 of Parcel Maps at Page 84 the following two courses; N 30° 41' 49" E, 118.96' distant, thence N 25° 03' 05" E, 725.41' distant; thence from said point of beginning

N 7° 14' 28" E, 48.50', thence

N 13° 49' 31" E, 231.05', thence

N 38° 29' 41" E, 221.81', thence

N 40° 19' 28" E, 181.50', thence

N 12° 52' 16" E, 177.72', thence

N 42° 29' 04" E, 159.25', thence

N 63° 25' 55" E, 191.23', thence

N 49° 39' 21" E, 353.83', thence

N 42° 07' 50" E, 105.32', thence

N 11° 40' 01" E, 404.69', thence

N 19° 15' 02" E, 118.76', thence

N 51° 56' 33" E, 136.12', thence

N 31° 25' 31" E, 41.44', thence

N 6° 21' 54" E, 92.74', thence

N 15° 36' 49" E, 126.41', thence

N 25° 18' 11" E, 109.46', thence

N 17° 02' 56" E, 174.88', thence

N 1° 22' 53" E, 122.39', thence

N 24° 57' 55" E, 252.29', thence

N 17° 23' 53" E, 65.92', thence  
N 9° 24' 27" E, 67.98', thence  
N 23° 09' 05" E, 91.66', thence  
N 55° 13' 53" E, 106.62', thence  
S 2° 37' 05" E, 53.66', thence  
S 16° 58' 26" W, 577.94', thence  
S 4° 16' 07" W, 82.31', thence  
S 14° 28' 49" W, 147.83', thence  
S 25° 18' 11" W, 110.58', thence  
S 10° 58' 26" W, 215.72', thence  
S 31° 25' 31" W, 86.60', thence  
S 39° 24' 34" W, 193.63', thence  
S 10° 57' 41" W, 199.82', thence  
S 12° 21' 08" W, 220.80', thence  
S 34° 18' 24" W, 122.42', thence  
S 56° 11' 06" W, 530.38', thence  
S 48° 07' 40" W, 211.68', thence  
S 14° 41' 51" W, 107.43', thence  
S 28° 11' 52" W, 145.09', thence  
S 43° 11' 53" W, 192.33', thence  
S 45° 08' 11" W, 180.14', thence  
S 14° 03' 24" W, 150.31', thence  
S 27° 49' 41" W, 45.91' to the point of beginning.

Containing an area of 7.56 acres of land, more or less.

### SCENIC EASEMENT-3

Beginning at a point on the southeast boundary line of Parcel 2 as shown upon that certain Parcel Map filed for record on May 10, 1974 at the Office of the County Recorder of the County of Monterey in Volume 6 of Parcel Maps at Page 84 from which the most southerly corner of said Parcel 2 bears S 35° 10' 00" W, 2,051.59', thence from said point of beginning

N 16° 57' 40" E, 23.82', thence

N 23° 55' 09" E, 93.66', thence

N 9° 24' 27" E, 69.71', thence

N 17° 23' 53" E, 60.85', thence

N 28° 42' 52" E, 128.74', thence

N 26° 11' 09" E, 70.85', thence

N 14° 33' 09" E, 60.88', thence

N 5° 00' 01" E, 67.87', thence

N 2° 50' 03" W, 49.09' to a point in the boundary common to said Parcel 2 and Parcel 1 as shown upon that certain Parcel Map filed for record on July 2, 1990 at the Office of the County Recorder of the County of Monterey in Volume 18 of Parcel Maps at Page 56, thence along said common boundary

S 47° 01' 00" E, 187.61' to the corner common to said Parcel 2, said Parcel 1 and that certain 98.254 acre parcel of land shown upon that certain Record of Survey filed for record on January 20, 1958 at the Office of the County Recorder of the County of Monterey in Volume 5 of Surveys at Page 147, thence leaving the boundary of said Parcel 1 and running along the boundary common to said Parcel 2 and said 98.254 acre parcel of land

S 35° 10' 00" E, 561.95' to the point of beginning.

Containing an area of 1.00 acres of land, more or less

### SCENIC EASEMENT-4

Beginning at a point on the most southwesterly boundary line of Parcel 2 as shown upon that certain Parcel Map filed for record on May 10, 1974 at the Office of the County Recorder of the County of Monterey in Volume 6 of Parcel Maps at Page 84, from whence the most southerly corner of said Parcel 2 bears S 46° 43' 48" E, 360.45', thence from said point of beginning

S 84° 44' 07" E, 131.19', thence

N 60° 12' 50" E, 85.29', thence

N 49° 01' 23" E, 105.00', thence

N 83° 26' 31" E, 79.18', thence



S 40° 27' 19" E, 44.34', thence  
S 83° 45' 56" E, 72.54', thence  
S 4° 49' 07" W, 32.26' to the southeast boundary of said Parcel 2, thence along said boundary  
S 35° 10' 00" W, 344.36' to the southerly most corner of said Parcel 2, thence leaving said boundary  
N 15° 38' 49" E, 99.68', thence  
N 36° 31' 55" W, 72.60', thence  
N 5° 14' 07" E, 35.21', thence  
N 25° 41' 59" E, 78.81', thence  
N 40° 04' 42" W, 12.47', thence  
N 87° 36' 21" W, 24.68', thence  
S 54° 28' 44" W, 99.92', thence  
S 79° 30' 42" E, 47.36', thence  
N 46° 43' 50" W, 112.57', thence  
S 46° 43' 48" W, 174.93' to the point of beginning.

Containing an area of 1.11 acres of land, more or less.

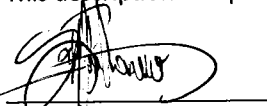
NO REPRESENTATION IS MADE that this legal description is an exact and definitive bounding of all those areas upon the subject property where ground slope exceeds 25%.

COURSES ALL TRUE (Bearings based upon the meridian shown upon that certain map recorded at the Office of the County Surveyor of the County of Monterey on January 20, 1958 and filed in Volume 5 of Surveys at Page 147 ).

SUBJECT TO HOWEVER any restrictions, conditions, covenants, rights, rights-of-way, and easements now of record.

DATED October 25, 2012

This description was prepared by me or under my direction.



Scott P. Hawthorne  
P.L.S.#8065  
Expires December 31, 2013



END OF DESCRIPTION

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

**Resolution No. 12-146**

- a. Consider Adoption of Addendum to previously prepared Negative Declaration and Negative Declaration )
  - b. Approve the Combined Development Permit consisting of: )
    - (1) a Lot Line Adjustment of Williamson Act Lands )
      - consisting of the removal of 0.68 acres from two (2) )
      - existing parcels under Williamson Act Farmland )
      - Security Zone (FSZ) and FSZ Contract No. 2007-005 )
      - (APNs 216-013-025-000 and 216-013-022-000) to add )
      - to an existing 79.32 acre parcel (APN 216-013-019-000) )
      - to create one (1) 80-acre parcel; and )
    - (2) a Lot Line Adjustment consisting of an equal exchange )
      - of approximately 0.86 acres between APN 216-013-024- )
      - 000 and APN 216-013-019-000; and )
    - (3) a Minor Subdivision to divide the 80-acre parcel )
      - resulting from the adjustment into two (2) 40-acre )
      - parcels; and, )
    - (4) an amendment to Williamson Act FSZ and FSZ Contract )
      - No.2007-005. )
  - c. Authorize the Chair to execute a new or amended FSZ )
    - Contract or Contracts in order to rescind a portion of the )
    - existing FSZ Contract as it applies to the reconfigured lots )
    - only and simultaneously execute a new or amended FSZ )
    - Contract or Contracts for the reconfigured lots between the )
    - County and the Property Owners of Record, reflecting the )
    - new legal descriptions, and to incorporate any legislative )
    - changes to State Williamson Act provisions and current )
    - County FSZ Policies or Procedures; and )
  - d. Direct the Clerk of the Board to record the new or amended )
    - Contract or Contracts concurrently with the filing of the )
    - parcel map and/or the recordation of the Certificates of )
    - Compliance for the reconfigured Williamson Act parcels; )
    - and )
  - e. Adopt the resolution attached as Attachment "B" with the )
    - recommended findings and evidence and subject to the )
    - conditions of approval. )
- (PLN 070197/Charles E. and Judy A. Martin, Trustees of the )  
 Martin Living Trust U/D/T July 25, 2005, Leavens Ranches )  
 General Partnership, and Amaral Ranches General Partnership). )

WHEREAS, An application for a Combined Development Permit was submitted including two (2) Lot Line Adjustments and a Minor Subdivision: (1) a Lot Line Adjustment of Williamson Act Lands consisting of the removal of 0.68 acres from two (2) existing parcels under

Williamson Act Farmland Security Zone (FSZ) and FSZ Contract No. 2007-005 (APNs 216-013-025-000 and 216-013-022-000) to add to an existing 79.32 acre parcel (APN 216-013-019-000) to create one 80-acre parcel; (2) a Lot Line Adjustment consisting of an equal exchange of approximately 0.86 acres between APN 216-013-024-000 and APN 216-013-019-000; (3) a Minor Subdivision to divide the 80-acre parcel resulting from the adjustment into two (2) 40-acre parcels; and, (4) an amendment to Williamson Act Farmland Security Zone (FSZ) and FSZ Contract No.2007-005; and

WHEREAS, the two (2) existing parcels under Williamson Act FSZ are subject to FSZ Contract No. 2007-005 and will be reconfigured. Said parcels will remain under FSZ Contract No. 2007-005; and

WHEREAS, the two (2) Lot Line Adjustments will result in (4) reconfigured separate lots. Two (2) parcels (APNs 216-013-025-000 and 216-013-022-000) owned by Leavens Ranches General Partnership will continue utilization of the land for commercial agricultural production; and,

WHEREAS, the Board of Supervisors finds that the proposed Lot Line Adjustments of the subject property are consistent with policies of the Monterey County General Plan, the Central Salinas Valley Area Plan, regulations in the Zoning Ordinance (Title 21 of the Monterey County Code) and the Subdivision Ordinance (Title 19 of the Monterey County Code), and Section 51257 of the California Government Code, and Williamson Act FSZ Contract No. 2007-005 as evidenced below; and.

WHEREAS, the Board of Supervisors, having considered the application and the evidence related thereto, finds and declares that:

**FINDINGS AND EVIDENCE FOR APPROVAL**

**1. FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Greater Central Salinas Valley Area Plan, the Monterey County Zoning Ordinance (Title 21), the Monterey County Subdivision Ordinance (Title 19 - Inland Subdivision Ordinance), and Section 51257 of the California Government Code (Williamson Act).

**EVIDENCE:** (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of this application. No conflicts between these documents and this application were found to exist. No communications were received during the course of review of the project indicating any project inconsistencies with the text, policies, and regulations in these documents.  
(b) The subject lots are located on River Road, Soledad, Central Salinas Valley Area Plan. Parcel "1" is 41.5 acres in size (APN 216-013-025-000); Parcel "2" is 41.64 acres in size (APN 216-013-022-000); Parcel "4" is 40 acres in size (APN 216-013-024-000); and Parcel "A/B" is 79.32 acres in size (APN 216-013-019-000). The parcels are zoned F/40, or "Farm Land/40-acre minimum," which allows for lot line adjustments and Minor Subdivision. Therefore, the project is an allowed land use for this site.  
(c) The application for a Combined Development Permit for two (2) Lot Line Adjustments and a Minor Subdivision was not referred to the Agricultural

Advisory Committee for review as no significant issues were identified by staff of the Planning Department.

- (e) The application, plans, and related support materials found in Planning File No. PLN070197.

**2. FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.

**EVIDENCE:** (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Gonzales Rural Fire Protection District, Public Works Department, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

- (b) Technical reports by outside consultants indicate that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. The following reports have been prepared.

1. *Preliminary Archaeological Reconnaissance for APN 216-013-019-000* prepared by *Archaeological Consulting, Salinas California July 12, 2007.*
2. *"Preliminary Geologic & Soils Engineering Report and Percolation Testing for Lands of Martin"* prepared by *Landset Engineers Inc., Salinas California, January 2008.*
3. *Biological Survey for the Charles and Judy Martin Property, 31300, River Road, Soledad, California, 93960, APN 216-013-019-000, prepared by Ed Mercurio, Biological Consultant, May 30, 2008.*

- (c) The application plans, and related support materials found in Planning File No. PLN070197.

**3. FINDING: CONFORMANCE WITH SUBDIVISION ORDINANCE AND PARCEL LEGALITY DETERMINATION** – The proposed Lot Line Adjustments are consistent with General Plan Policy LU-1.14, LU-1.15, LU-1.16 and Section 66412 of the California Government Code (Subdivision Map Act).

1. The lot line adjustments are between four or fewer adjoining parcels;
2. A greater number of parcels than originally existed will not be created as a result of the lot line adjustments;
3. The parcels resulting from the lot line adjustments conform to the County's General Plan and zoning and building ordinances.

**EVIDENCE:** a) As shown on the project plans, the lot line adjustments will 1) adjust property lines between a 41.5 acre parcel (APN 216-013-025) and a 41.64 acre parcel (APN 216-013-022-000) owned by Leavens Ranches to add 0.68 acres to an existing 79.32 acre parcel (APN 216-013-019-000) owned by the Martin Trust and 2) allow for an equal exchange of 0.86 acres between a 40 acre parcel (APN 216-013-024-000) owned by Amaral Ranches and the 80.00 acre parcel (APN 216-013-019-000) resulting from the Leavens Ranches - Martin Trust Lot Line

Adjustment. The lot line adjustments will not create a greater number of parcels than originally existed.

- b) The lot line adjustments are between more than one (1) and four (4) or fewer existing adjacent parcels.
- c) The lot line adjustments are consistent with General Plan Policy LU-1.15 which requires that lot lines that could compromise wells and septic systems not be approved. The Environmental Health Bureau has reviewed this application for consistency with this policy and found the lot line adjustment consistent as reflected in the Project Referral form in the record (PLN070197).
- d) The proposed lot line adjustments are consistent with General Plan Policy LU-1.16 which requires conformance with all other General Plan policies, and zoning and building ordinances. The parcels are currently zoned Farmlands, 40 acre minimum (F/40) which allows uses that preserve agricultural operations. The parcels will result in parcels of 40 acres and greater and agricultural operations will continue on this site.
- e) As an exclusion to the Subdivision Map Act, no map is recorded for a Lot Line Adjustment. In order to appropriately document the boundary changes, a Certificate of Compliance for each lot is required per a standard condition of approval.
- f) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development as found in project File PLN070197.

4. **FINDING: CEQA (NEGATIVE DECLARATION)** - On the basis of the whole record before the Director of the Monterey County RMA-Planning Department, there is no substantial evidence that the proposed project as designed and conditioned, will have a significant effect on the environment. The Negative Declaration and the Addendum to the Negative Declaration reflect the independent judgment and analysis of the County.

- EVIDENCE:**
- (a) Public Resources Code Section 21080 (c) and California Environmental Quality Act (CEQA) Guidelines Section 15063 (b) (2) require that the County prepare a Negative Declaration if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment.
  - (b) Monterey County prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the office of the RMA-Planning Department and is hereby incorporated by reference (File No. PLN070197)
  - (c) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. The Initial Study identified environmental issues relative to Aesthetics, Agricultural Resources, Air Quality, Geology/Soils, Hydrology/Water Quality, Noise, Population/Housing, Public Services, Recreation; and Transportation/Traffic. Substantial evidence supports the conclusion that impact on these issues will be less than significant.
  - (d) A Negative Declaration was filed on April 24, 2009. The Negative Declaration was circulated for public review from April 24, 2009 to

May 16, 2009. The Negative Declaration was adopted by the Director of Planning on May 20, 2009.

- (e) For purposes of implementation of Section 753.5 of Title 14, California Code of Regulations, the project may cause changes to the resource listed under Section 753.5. Therefore, payment of the Department of Fish and Game fee is required.
- (f) No comments on the Negative Declaration were received.

5. **FINDING: CEQA – ADDENDUM TO NEGATIVE DECLARATION** - An Addendum to the Negative Declaration (attached to the June 19, 2012 Staff Report to the Board of Supervisors) was prepared pursuant to the California Code of Regulations, Title 14, (CEQA Guidelines) Section 15164. The Addendum reflects the County's independent judgment and analysis. The Addendum to the Negative Declaration discusses minor technical changes or additions to the Negative Declaration and is an appropriate mechanism under CEQA for consideration of the project by the Board of Supervisors. None of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent Negative Declaration have occurred. Monterey County, as the CEQA Lead Agency, has determined that no Subsequent or Supplemental Negative Declaration is required pursuant to Public Resources Code Section 21166 or CEQA Guidelines Sections 15162, 15163, or 15164, as none of the conditions described in those Sections have occurred.

- EVIDENCE:**
- (a) The Addendum does not identify any significant change in circumstances that may have occurred in the vicinity of the project that would have resulted in significant changes to the environmental impacts identified in the Negative Declaration or that would have required changes to the approved project.
  - (b) Administrative record contained in the project file.
    - (a) The Addendum does not describe, indicate or propose any changes to the subject project that would require major revisions of the Negative Declaration due to new significant environmental effects or any substantial increase in the severity of previously identified impacts.
  - (c) The Addendum does not describe, indicate or propose any substantial changes with respect to the circumstances under which the project was considered by the Director of Planning that would require major revisions of the Negative Declaration due to new significant environmental effects or any substantial increase in the severity of any previously identified significant effects.
  - (d) The Addendum does not describe, indicate or propose any new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Negative Declaration was considered, that shows any of the following:
    - 1. That the project will have one or more significant effects not discussed in the Negative Declaration; or
    - 2. That any significant effects previously examined will be substantially more severe than shown in the Negative Declaration;

- (e) The Addendum provides technical additions to the adopted Negative Declaration, discussing non substantive changes in circumstances, in relation to the original project approval, relating to the topic areas addressed in the Negative Declaration.
  - (f) Addendum to the Negative Declaration, dated June 7, 2012, attached to the June 19, 2012 Board of Supervisors staff report.
  - (g) Negative Declaration prepared for the project dated April 23, 2012.
  - (h) Monterey County Director of Planning Resolution No. 070197.
6. **FINDING: PUBLIC NOTICE** - Public notice of the pending Combined Development Permit was provided pursuant to Section 19.01.055, Title 19, Monterey County Code (Subdivisions).  
**EVIDENCE:** Materials in Planning File No. PLN070197.
7. **FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's Zoning Ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.  
**EVIDENCE:** Staff has reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on the subject property.
8. **FINDING: HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.  
**EVIDENCE:** Preceding findings and supporting evidence.

WHEREAS, Section 51257 of the California Government Code requires that certain findings be made by the Board of Supervisors to facilitate Lot Line Adjustments of land under Williamson Act Contract;

WHEREAS, the Board of Supervisors further finds that the request for a Lot Line Adjustment is consistent with California Government Code Section 51257 (Williamson Act). Specifically, the Board finds and declares that:

**FINDINGS AND EVIDENCE TO ALLOW THE LOT LINE ADJUSTMENT OF PROPERTY FOR LANDS IN WILLIAMSON ACT**

9. **FINDING: WILLIAMSON ACT – CONTRACTS** – Pursuant to California Government Code Section 51257(a)(1), the new or amended Contract or Contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded Contract or Contracts, but for not less than 10 years.

**EVIDENCE:** (a) The proposed Lot Line Adjustment and amendment to the FSZ and FSZ Contract No. 2007-005, as applicable to the two (2) reconfigured lots, will reflect the reconfiguration of Parcel 1 from 41.5 acres (APN 216-013-025-000) to 41.1 acres and of Parcel 2 from 41.64 acres (APN 216-013-022-000) to 41.36 acres. The proposed Lot Line Adjustment will result in Parcel 1 at 41.1 acres and Parcel 2 at 41.36 acres under Williamson Act FSZ Contract, and create an 80 acre parcel for the Martin property (APN 216-013-019-000) as illustrated below:

**Table 1 - Redistribution of Acreage (approximate)**

	EXISTING ACREAGE	PROPOSED ACREAGE	DIFFERENCE	PERCENT CHANGE IN PARCEL SIZE
Parcel "1" *	41.5	41.1	-.40 acres	- 0.96%
Parcel "2" *	41.64	41.36	-.28 acres	- 0.67%
Martin Parcel	79.32	80	+.68 acres	N/A

Note: Parcels Noted with an asterisk \* are under FSZ Contract No. 2007-005.

(b) The 20 year term of the original FSZ Contract renews annually on each succeeding January 1. The new or amended Contract or Contracts for the reconfigured parcels propose an initial term of 20 years which will also renew annually on each succeeding January 1.

**10. FINDING: WILLIAMSON ACT – NO NET ACREAGE DECREASE** - Pursuant to California Government Code Section 51257(a) (2), there is no net decrease in the amount of the acreage restricted. In cases where two lots involved in a Lot Line Adjustment are both subject to Contracts rescinded pursuant to this Section, this finding will be satisfied if the aggregate acreage of the land restricted by the new Contracts is at least as great as the aggregate acreage restricted by the rescinded Contracts.

**EVIDENCE:** (a) The lot line adjustment will reconfigure the lots but will not result in a significant change to the existing Contract boundaries and at least more than 90 percent of the land under the former Contract or Contracts will remain in the new or amended Contract or Contracts. The acreage of Parcel "1" (APN 216-013-025-000) will be decreased by 0.96 percent and the acreage of Parcel "2" (APN 216-013-022-000) will be decreased by 0.67 percent for a total of 1.63 percent net decrease. Only 0.68 acres will be removed from the Contract, and no change in agricultural use of the land is proposed. The remaining 82.46 acres will continue under FSZ Contract No.2007-005.

(b) The application, plans, and related support materials found in Planning File No. PLN070197.



11. **FINDING: WILLIAMSON ACT – NEW CONTRACTS** - Pursuant to California Government Code Section 51257(a)(3), at least 90 percent of the land under the former Contract or Contracts remains under the new or amended Contract or Contracts.

- EVIDENCE:**
- (a) The proposed new or amended FSZ Contract will continue to cover 98.37 percent of the acreage under the original FSZ Contract No. 2007-005.
  - (b) The application and plans for a Lot Line Adjustment found in Planning File No. PLN070197.

12. **FINDING: WILLIAMSON ACT – SUSTAIN AGRICULTURAL USE** - Pursuant to California Government Code Section 51257(a)(4), after the Lot Line Adjustment, the parcels of land subject to Contract will be large enough to sustain their agricultural use, as defined in Section 51222.

- EVIDENCE:**
- (a) The proposed project will result in Parcel "1" at approximately 41.1 acres, Parcel "2" at approximately 41.36 acres under Williamson Act FSZ Contract and the Martin Trust Parcel will result in 80 acres (non-Williamson Act Land).
  - (b) Pursuant to Section 51222 of the California Government Code (Williamson Act), "agricultural land shall be presumed to be in parcels large enough to sustain their agricultural use if the land is (1) at least 10 acres in size in the case of prime agricultural land, or (2) at least 40 acres in size in the case of land which is not prime agricultural land."
  - (c) County of Monterey Board of Supervisors Resolution No. 01-486 requires that Farmland Security Zones will not be considered unless the group of contiguous parcels included in the preserve contains 100 or more acres, or 40 or more acres if the Board finds that smaller preserves are necessary due to the unique characteristics of the agricultural enterprises in the area. The subject lot line adjustment will retain 98.37% of the land originally under the Farmland Security Zone Contract.
  - (d) The application plans, and related support materials found in Planning File No. PLN070197.

13. **FINDING: WILLIAMSON ACT – LONG-TERM AGRICULTURAL PRODUCTIVITY** - Pursuant to California Government Code Section 51257(a) (5), the Lot Line Adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a Contract or Contracts.

- EVIDENCE:**
- (a) The intent of the lot line adjustment is the creation of an 80 acre parcel for the Martin Trust property located south of the Leavens Ranches General Partnership property (which is under FSZ Contract No. 2007-005) in order to subdivide the 80 acres into two (2) 40 acre parcels (not in Williamson Act Contract).
  - (b) No new development is proposed for the sites, which will continue to be used for agriculture.
  - (c) The application plans, and related support materials found in Planning File No. PLN070197.

14. **FINDING: WILLIAMSON ACT – ADJACENT AGRICULTURAL LAND USE -**  
Pursuant to California Government Code Section 51257(a) (6), the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.

**EVIDENCE:** (a) The subject parcels and surrounding area are designated as Farm Land. The lot line adjustment will not affect current agricultural operations on the subject properties and on adjacent properties. No physical development is proposed. The adjustment would not allow any uses that could not also occur under the current configuration.

(b) The application and plans for a Lot Line Adjustment found in Planning File No. PLN070197.

15. **FINDING: WILLIAMSON ACT – NO NEW DEVELOPABLE PARCELS -**  
Pursuant to California Government Code Section 51257(a)(7), the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.

**EVIDENCE:** (a) The two (2) reconfigured lots subject to FSZ Contract No. 2007-005 do not result in a greater number of developable parcels than existed prior to the adjustment. See Finding 3.

(b) The application, plans, and related support materials found in Planning File No. PLN070197.

**NOW THEREFORE, IT IS HEREBY RESOLVED** that the Board:

Considered and adopted (1) the Addendum to the previously prepared Negative Declaration and (2) the Negative Declaration; and

**IT IS FURTHER RESOLVED** that in order to facilitate the lot line adjustment of Williamson Act Farmland Security Zone lands, the Board rescinds a portion of the existing FSZ Contract No. 2007-005, as applicable to the reconfigured lots, and authorizes the Chair to simultaneously execute a new or amended FSZ Contract or Contracts, which shall be applicable to the reconfigured parcels, consistent with Section 51257 of the California Government Code (Williamson Act), pending receipt of new legal descriptions for the reconfigured lots and the execution of the new or amended Contract or Contracts between the County and the Property Owners of Record of the reconfigured Williamson Act FSZ lots; and

**IT IS FURTHER RESOLVED** that, consistent with Government Code Section 51257, the Board authorizes the Chair to sign a new or amended FSZ Contract or Contracts, to simultaneously rescind a portion of the existing FSZ Contract No. 2007-005 as applicable to the reconfigured parcels only, and to execute a new or amended FSZ Contract or Contracts, which shall be applicable to the reconfigured Williamson Act FSZ lots; and

**IT IS FURTHER RESOLVED** that the new or amended FSZ Contract or Contracts shall reflect current ownership interests for the reconfigured Williamson Act FSZ parcels and shall incorporate any legislative changes to State Williamson Act provisions and current County Farmland Security Zone Policies or Procedures, and the Chair of the Board is authorized to sign the new or amended FSZ Contract or Contracts with the Property Owners of Record; and

**IT IS FURTHER RESOLVED** that the Clerk is directed to record said new or amended Contract or Contracts upon recordation of the Parcel Map, Certificates of Compliance, and Deeds, as applicable to the reconfigured Williamson Act FSZ lots, and completion of the legal description or descriptions, and execution by the Chair and the Property Owners of Record; and

**IT IS FURTHER RESOLVED** that the Board of Supervisors hereby approves said Lot Line Adjustments and Minor Subdivision subject to the attached conditions which are incorporated by this reference.

**PASSED AND ADOPTED** upon motion of Supervisor Salinas, seconded by Supervisor Calcagno, and carried this 19th day of June 2012, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, and Potter  
NOES: Supervisor Parker  
ABSENT: None

I, Gail T. Borkowski, 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 of Minute Book 76 for the meeting on June 19, 2012.

Dated: June 28, 2012  
File Number: 12-377

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By *Denise Hancock*  
Deputy

# Monterey County Planning Department

## Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN070197

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** This Combined Development Permit (PLN070197) allows: (1) a Lot Line Adjustment of Williamson Act Lands consisting of the removal of 0.68 acres from two existing parcels under Williamson Act Agricultural Preserve and Land Conservation Contract No. 07-005 (Assessor's Parcel Numbers 216-013-025-000 and 216-013-022-000) to add to an existing 79.32 acre parcel (Assessor's Parcel Number 216-013-019-000) to create one 80-acre parcel; and (2) a Lot Line Adjustment consisting of an equal exchange of approximately 0.86 acres between Assessor's Parcel Number 216-013-024-000 and Assessor's Parcel Number 216-013-019-000; and(3) a Minor Subdivision to divide the 80-acre parcel resulting from the adjustment into two 40-acre parcels; and, (4) an amendment to Williamson Act Agricultural Preserve and Land Conservation Contract No.07-005. The site is located at 31300 River Road (Assessor's Parcel Numbers 216-013-019-000, 216-013-022-000, 216-013-024-000 and 216-013-025-000 ), Central Salinas Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA -Planning Department)

**Compliance or Monitoring Action to be Performed:**

### 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** PD002 - NOTICE-PERMIT APPROVAL  
The applicant shall record a notice which states: "A permit (Resolution 12-146) was approved by the Board of Supervisors for Assessor's Parcel Numbers 216-013-019-000, 216-013-022-000, 216-013-024-000 and 216-013-025-000,on June 19, 2012. The permit was granted subject to 19 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)

**Compliance or Monitoring Action to be Performed:** The owner/applicant shall submit proof of recordation of this notice shall be furnished to the RMA - Planning Department.

Prior to recordation of the Parcel Map.

**3. PD004 - INDEMNIFICATION AGREE**

**Responsible Department:** Planning Department

**Condition/Mitigation  
Monitoring Measure:**

The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the parcel map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (RMA - Planning Department)

**Compliance or  
Monitoring  
Action to be Performed:**

The owner/applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA - Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA - Planning Department after the document has been recorded.

**4. PD015 - NOTE ON MAP STUDIES**

**Responsible Department:** Planning Department

**Condition/Mitigation  
Monitoring Measure:**

A note shall be placed on the final map or a separate sheet to be recorded with the parcel map stating that:

- 1) An Archaeological Report dated July 12, 2007, has been prepared on this property by Archaeological Consulting, and is on file in the Monterey County RMA - Planning Department. The recommendations of the report shall be followed in any future development on the property.
- 2) A Geologic and Soil Engineering Report dated January 2008, has been prepared for this property by Landset Engineers Inc., and is on file in the Monterey County RMA - Planning Department. The recommendations of the report shall be followed in any future development on the property.
- 3) A Biological Survey dated May 30, 2008, has been prepared on this property by Ed Mercurio, Biological Consultant, and is on file in the Monterey County RMA - Planning Department. The recommendations of the report shall be followed in any future development on the property.

The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA - Planning Department)

**Compliance or  
Monitoring  
Action to be Performed:**

The note shall be placed on the map for review by the RMA - Planning Department.

Prior recordation of the Parcel Map.

**5. PD023 - EASEMENT SCENIC SLOPE**

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** A Scenic Easement shall be conveyed to the County over those portions of the property where the slope exceeds 25% percent. The easement shall be developed in consultation with certified professional. (RMA - Planning Department)

**Compliance or Monitoring Action to be Performed:** A Scenic Easement Deed shall be submitted for review and approval by the Director of the RMA - Planning Department prior to recordation of the Parcel Map.

The Easement Deed shall be recorded before or concurrently with the Parcel Map showing the approved Scenic Easement.

**6. EH1 - WATER SYSTEM PERMIT**

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** EH1 - WATER SYSTEM PERMIT  
Obtain a new or amended water system permit from the Environmental Health Bureau. (Environmental Health Bureau)

**Compliance or Monitoring Action to be Performed:** Submit necessary application, reports and testing results prepared by a CA Licensed Engineer to EH for review and approval.

Prior to recordation of the Parcel Map.

**7. EHSP - PARCEL MAP (NON-STANDARD)**

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** Provide a revised parcel map demonstrating that the septic system on APN 216-013-024-000 (Amaral Property) meets County standards for setbacks to property lines. The proposed lot line adjustment as shown on the revised tentative map dated July 2, 2008 shall be modified to conform to County standards. (Environmental Health Bureau)

**Compliance or Monitoring Action to be Performed:** The applicant shall provide revised parcel map to the EHB for review and approval.  
Before recordation of the parcel map.

**8. PW0015 - UTILITY'S COMMENTS**

**Responsible Department:** Public Works Department

**Condition/Mitigation Monitoring Measure:** The applicant shall submit the approved parcel map to impacted utility companies for their review. The recommendations of the utilities, if any, shall be submitted to the Department of Public Works for all required easements.

**Compliance or Monitoring Action to be Performed:** Before recordation of the Parcel Map/Record of Survey, the Subdivider shall provide tentative maps to impacted utility companies for review. Subdivider shall submit utility comments to DPW.

9. PW0022 - FIRE REQUIREMENTS FOR ROADS

**Responsible Department:** Public Works Department

**Condition/Mitigation Monitoring Measure:** Prior to recordation of the Parcel Map, the roads within the subdivision shall be improved in accordance with requirements of the local fire jurisdiction.

**Compliance or Monitoring Action to be Performed:** Subdivider shall submit improvement plans prepared by an Engineer to local fire jurisdiction and to DPW for approval. Roads to be constructed in accordance with the approved plans.

10. PW0031 - PARCEL MAP

**Responsible Department:** Public Works Department

**Condition/Mitigation Monitoring Measure:** The applicant shall file a parcel map delineating all existing and required easements or rights-of-way and monument new lines.

**Compliance or Monitoring Action to be Performed:** The applicant's engineer or surveyor shall prepare and submit the Parcel Map to the Department of Public Works for review and approval.

11. PW0036 -EXISTING EASEMENTS AND ROW

**Responsible Department:** Public Works Department

**Condition/Mitigation Monitoring Measure:** Provide for all existing and required easements or rights-of-way.

**Compliance or Monitoring Action to be Performed:** Subdivider's surveyor shall include all existing and required easements or rights-of-way on Parcel Map.

12. PWSP001 - TAMC Fees (NON-STANDARD)

**Responsible Department:** Public Works Department

**Condition/Mitigation Monitoring Measure:** Prior to issuance of building permits for parcels involved in the minor subdivision, the property owner shall pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study.

**Compliance or Monitoring Action to be Performed:** The owner shall pay the TAMC regional fee identified in the nexus study.

### 13. FIRE008 - GATES

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required.  
Responsible Land Use Department: Monterey County Regional Fire District

**Compliance or Monitoring Action to be Performed:** Prior to issuance of grading and/or building permits, the Applicant shall incorporate the specification of the entry gate into design and print the text of this condition as "Fire Department Notes" on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of the entry gate and obtain fire department approval the final fire inspection.

### 14. FIRE010 -ROAD SIGNS

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** All newly constructed or approved roads and streets shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. Size of letters, numbers and symbols for street and road signs shall be a minimum 4-inch letter height, ½-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of Monterey County Ordinance No. 1241. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than 100 feet before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the Reviewing Fire Authority. Responsible Land Use Department: Monterey County Regional Fire District

**Compliance or Monitoring Action to be Performed:** Prior to filing of the parcel map, the Applicant shall incorporate the road sign specification into design and print the text of this condition as "Fire Department Notes" improvement plans.

Prior to issuance of building permit(s) for development on individual lots within the phase of the subdivision, the Applicant shall complete the installation of road signs and shall obtain fire dept. approval of the fire clearance inspection for each phase of development.



15. FIRE011 - ADDRESSES FOR BUILDINGS

Responsible Department: Fire

Condition/Mitigation  
Monitoring Measure:

All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a non-combustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be visible and legible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. Responsible Land Use Department: Monterey County Regional Fire District

Compliance or  
Monitoring  
Action to be Performed:

Prior to issuance of any building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on plans.

Prior to requesting a final building inspection, Applicant shall install the required address signage and shall obtain fire department approval of the fire department final inspection.

16. FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL)

Responsible Department: Fire

Condition/Mitigation  
Monitoring Measure:

For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available. Responsible Land Use Department: Monterey County Regional Fire District

Compliance or  
Monitoring  
Action to be Performed:

Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of the water system improvements and shall obtain fire department approval of the final fire inspection.

17. FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Manage combustible vegetation from within a minimum of 100 feet of structures, or to the property line, whichever is closer. Trim tree limbs to a minimum height of 6 feet from the ground. Remove tree limbs from within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. Responsible Land Use Department: Monterey County Regional Fire District

Compliance or Monitoring: Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on construction plans.

Action to be Performed: Prior to requesting a final building inspection, the Applicant shall complete the vegetation management and shall obtain fire department approval of the final fire inspection.

18. PD045 – COC (LOT LINE ADJUSTMENT)

Responsible Department: RMA – Planning Department

Condition/Mitigation Measure: The applicant shall request unconditional certificates of compliance for the newly configured parcels.

Monitoring Action to be performed: Concurrent with filing of the parcel map, the Owner/Applicant/Surveyor shall submit legal descriptions for each newly configured parcel as prepared by the surveyor. The legal descriptions shall be entitled "Exhibit A." The legal description shall comply with the Monterey County Recorder's guidelines as to form and content. The applicant shall submit the legal descriptions with a check, payable to the Monterey County Recorder, for the appropriate fees to record the certificates.

19. PD37 – WILLIAMSON ACT

Responsible Department: RMA – Planning Department

Condition/Mitigation Measure: The Owner/Applicant and/or Property Owners of Record of the reconfigured Williamson Act parcels as applicable, shall enter into any new or amended FSZ Contracts with the Monterey County Board of Supervisors for the lot line adjustment of Williamson Act lands deemed necessary by the Office of the County Counsel and pursuant to Government Code Section 51257 as applicable.

Compliance or Monitoring Action: The new or amended FSZ Contracts shall be prepared by the Office of County Counsel, subject to preparation of the legal descriptions by the Owner/Applicant/Surveyor for the reconfigured Williamson Act (FSZ) parcels, and review of said legal descriptions by RMA – Planning Department and Department of Public Works Staff. Said new or amended FSZ Contract or Contracts shall be recorded concurrently with the filing of the parcel map and/or with the recordation of the Certificates of Compliance for the Williamson Act (FSZ) parcels which ever occurs first.

COURSE TABLES

LINE	LENGTH	BEARING
L28	15.639	N43°56'46"W
L29	19.899	N44°06'05"W
L30	512.45	N46°06'38"W
L31	96.21	S27°40'44"E
L32	113.06	S27°08'57"E
L33	256.46	S31°03'23"E
L34	262.91	S31°37'07"E
L35	151.72	S41°09'31"W
L36	79.24	S40°17'01"E
L37	819.76	S35°28'14"W
L38	653.59	S35°03'44"W
L39	771.78	S48°22'49"W
L40	728.66	S48°22'49"W
L41	330.59	S19°24'28"W
L42	164.13	S07°18'05"W
L43	183.81	S31°59'59"W
L44	222.27	S16°57'41"W
L45	252.29	S27°08'57"E
L46	227.58	S28°00'27"W
L47	622.58	S28°00'27"W
L48	686.65	S09°12'49"W
L49	316.63	S20°05'48"W
L50	173.08	S28°25'37"W
L51	66.71	S45°25'56"W
L52	153.01	S74°28'07"W
L53	233.22	S52°32'48"W
L54	243.23	S52°32'48"W
L55	314.23	S56°08'07"W
L56	401.50	S28°27'19"W
L57	90.49	N6°42'48"E
L58	282.28	N85°44'03"E
L59	255.79	N65°35'03"E
L60	47.22	N1°06'57"E
L61	212.82	N31°22'48"E
L62	70.881	N81°28'59"E
L63	271.45	N81°28'59"E
L64	222.98	N2°42'37"E
L65	173.95	N81°31'57"E
L66	280.66	N81°31'57"E
L67	312.86	N81°43'37"E
L68	322.87	N82°10'43"E
L69	271.58	N82°10'43"E
L70	271.58	N47°51'31"E
L71	404.54	N47°51'31"E
L72	135.749	N21°50'31"E
L73	272.49	N21°50'31"E
L74	762.50	N03°08'08"W
L75	62.26	N40°01'31"W
L76	118.89	N81°09'45"W
L77	118.89	N81°09'45"W
L78	147.1	S74°07'07"W
L79	174.881	N17°34'32"W
L80	52.03	N52°34'27"W
L81	39.229	N52°19'31"W
L82	105.72	N52°14'30"W
L83	44.23	N51°41'36"E
L84	77.36	N52°14'30"E
L85	171.48	N27°54'44"W
L86	43.30	N07°52'23"W
L87	14.43	N79°20'05"W
L88	74.937	S34°19'42"W
L89	148.93	S34°19'42"W
L90	48.93	S22°26'18"W
L91	92.49	S22°26'18"W

LINE	LENGTH	BEARING
L93	52.66	S02°37'09"E
L94	577.91	S16°58'26"W
L95	82.31	S04°16'07"W
L96	147.63	S14°28'49"W
L97	210.59	S27°10'11"W
L98	242.6	S31°28'26"E
L99	192.63	S29°24'24"W
L100	192.63	S10°57'41"W
L101	220.80	S12°21'08"W
L102	122.42	S34°18'24"W
L103	530.38	S56°11'06"W
L104	111.68	S48°07'46"W
L105	116.68	S48°07'46"W
L106	146.99	S28°11'58"W
L107	146.99	S28°11'58"W
L108	192.43	S43°11'53"W
L109	180.14	S45°08'11"W
L110	150.31	S14°03'24"W
L111	49.91	S27°48'41"W
L112	48.50	N17°12'28"E
L113	231.6	N75°29'21"E
L114	231.6	N40°19'28"E
L115	181.50	N40°19'28"E
L116	177.72	N12°58'06"E
L117	355.25	N42°29'04"E
L118	191.23	N63°28'55"E
L119	335.83	N49°39'21"E
L120	105.32	N42°07'50"E
L121	116.68	N18°10'02"E
L122	156.12	N51°55'23"E
L123	41.44	N31°29'31"E
L124	126.41	N16°42'54"E
L125	126.41	N16°42'54"E
L126	126.41	N16°42'54"E
L127	126.41	N16°42'54"E
L128	126.41	N16°42'54"E
L129	126.41	N16°42'54"E
L130	252.29	N24°57'58"E
L131	65.92	N47°29'53"E
L132	67.98	N9°24'27"E
L133	43.02	N5°00'53"E
L134	106.64	N55°13'53"E

**SCENIC EASEMENT-3**

L136 23.82 N25°57'40"E  
 L137 93.66 N25°57'40"E  
 L138 65.71 N7°23'47"E  
 L139 64.83 N7°23'47"E  
 L140 128.74 N28°42'24"E  
 L141 71.85 N28°42'24"E  
 L142 68.89 N1°32'07"E  
 L143 49.09 N5°00'53"E  
 L144 43.02 N5°00'53"E  
 L145 187.61 S47°00'07"E

**SCENIC EASEMENT-4**

L146 131.81 S84°14'40"E  
 L147 65.29 N60°42'02"E  
 L148 105.80 N49°06'57"E  
 L149 79.81 N83°26'31"E  
 L150 75.24 S53°53'56"E  
 L151 44.34 S40°27'39"E  
 L152 22.25 S34°17'01"W  
 L153 93.68 N15°38'49"E  
 L154 93.68 N15°38'49"E  
 L155 72.60 N35°21'07"E  
 L156 35.21 N57°14'07"E  
 L157 78.61 N25°41'59"E

**SCENIC EASEMENT-2**

L93 52.66 S02°37'09"E  
 L94 577.91 S16°58'26"W  
 L95 82.31 S04°16'07"W  
 L96 147.63 S14°28'49"W  
 L97 210.59 S27°10'11"W  
 L98 242.6 S31°28'26"E  
 L99 192.63 S29°24'24"W  
 L100 192.63 S10°57'41"W  
 L101 220.80 S12°21'08"W  
 L102 122.42 S34°18'24"W  
 L103 530.38 S56°11'06"W  
 L104 111.68 S48°07'46"W  
 L105 116.68 S48°07'46"W  
 L106 146.99 S28°11'58"W  
 L107 146.99 S28°11'58"W  
 L108 192.43 S43°11'53"W  
 L109 180.14 S45°08'11"W  
 L110 150.31 S14°03'24"W  
 L111 49.91 S27°48'41"W  
 L112 48.50 N17°12'28"E  
 L113 231.6 N75°29'21"E  
 L114 231.6 N40°19'28"E  
 L115 181.50 N40°19'28"E  
 L116 177.72 N12°58'06"E  
 L117 355.25 N42°29'04"E  
 L118 191.23 N63°28'55"E  
 L119 335.83 N49°39'21"E  
 L120 105.32 N42°07'50"E  
 L121 116.68 N18°10'02"E  
 L122 156.12 N51°55'23"E  
 L123 41.44 N31°29'31"E  
 L124 126.41 N16°42'54"E  
 L125 126.41 N16°42'54"E  
 L126 126.41 N16°42'54"E  
 L127 126.41 N16°42'54"E  
 L128 126.41 N16°42'54"E  
 L129 126.41 N16°42'54"E  
 L130 252.29 N24°57'58"E  
 L131 65.92 N47°29'53"E  
 L132 67.98 N9°24'27"E  
 L133 43.02 N5°00'53"E  
 L134 106.64 N55°13'53"E

**SCENIC EASEMENT-1**

L28 15.639 N43°56'46"W  
 L29 19.899 N44°06'05"W  
 L30 512.45 N46°06'38"W  
 L31 96.21 S27°40'44"E  
 L32 113.06 S27°08'57"E  
 L33 256.46 S31°03'23"E  
 L34 262.91 S31°37'07"E  
 L35 151.72 S41°09'31"W  
 L36 79.24 S40°17'01"E  
 L37 819.76 S35°28'14"W  
 L38 653.59 S35°03'44"W  
 L39 771.78 S48°22'49"W  
 L40 728.66 S48°22'49"W  
 L41 330.59 S19°24'28"W  
 L42 164.13 S07°18'05"W  
 L43 183.81 S31°59'59"W  
 L44 222.27 S16°57'41"W  
 L45 252.29 S27°08'57"E  
 L46 227.58 S28°00'27"W  
 L47 622.58 S28°00'27"W  
 L48 686.65 S09°12'49"W  
 L49 316.63 S20°05'48"W  
 L50 173.08 S28°25'37"W  
 L51 66.71 S45°25'56"W  
 L52 153.01 S74°28'07"W  
 L53 233.22 S52°32'48"W  
 L54 243.23 S52°32'48"W  
 L55 314.23 S56°08'07"W  
 L56 401.50 S28°27'19"W  
 L57 90.49 N6°42'48"E  
 L58 282.28 N85°44'03"E  
 L59 255.79 N65°35'03"E  
 L60 47.22 N1°06'57"E  
 L61 212.82 N31°22'48"E  
 L62 70.881 N81°28'59"E  
 L63 271.45 N81°28'59"E  
 L64 222.98 N2°42'37"E  
 L65 173.95 N81°31'57"E  
 L66 280.66 N81°31'57"E  
 L67 312.86 N81°43'37"E  
 L68 322.87 N82°10'43"E  
 L69 271.58 N82°10'43"E  
 L70 271.58 N47°51'31"E  
 L71 404.54 N47°51'31"E  
 L72 135.749 N21°50'31"E  
 L73 272.49 N21°50'31"E  
 L74 762.50 N03°08'08"W  
 L75 62.26 N40°01'31"W  
 L76 118.89 N81°09'45"W  
 L77 118.89 N81°09'45"W  
 L78 147.1 S74°07'07"W  
 L79 174.881 N17°34'32"W  
 L80 52.03 N52°34'27"W  
 L81 39.229 N52°19'31"W  
 L82 105.72 N52°14'30"W  
 L83 44.23 N51°41'36"E  
 L84 77.36 N52°14'30"E  
 L85 171.48 N27°54'44"W  
 L86 43.30 N07°52'23"W  
 L87 14.43 N79°20'05"W  
 L88 74.937 S34°19'42"W  
 L89 148.93 S34°19'42"W  
 L90 48.93 S22°26'18"W  
 L91 92.49 S22°26'18"W

**NOTES**

1. ARCHAEOLOGICAL REPORT DATED JULY 12, 2007, HAS BEEN PREPARED ON THIS PROPERTY BY ARCHAEOLOGICAL CONSULTING, AND IS ON FILE IN THE MONTEREY COUNTY RMA - PLANNING DEPARTMENT. THE RECOMMENDATIONS CONTAINED IN SAID REPORT SHALL BE FOLLOWED IN ALL FURTHER DEVELOPMENT OF THIS PROPERTY.

2. A GEOLOGIC AND SOIL ENGINEERING REPORT DATED JANUARY 2008, HAS BEEN PREPARED ON THIS PROPERTY BY PLANNING DEPARTMENT, THE MONTEREY COUNTY RMA - PLANNING DEPARTMENT. THE RECOMMENDATIONS CONTAINED IN SAID REPORT SHALL BE FOLLOWED IN ALL FURTHER DEVELOPMENT OF THIS PROPERTY.

3. A BIOLOGICAL SURVEY DATED MAY 30, 2008, HAS BEEN PREPARED ON THIS PROPERTY BY ED HERCULOID, BIOLOGICAL CONSULTANT, AND IS ON FILE IN THE MONTEREY COUNTY RMA - PLANNING DEPARTMENT. THE RECOMMENDATIONS OF THE REPORT SHALL BE FOLLOWED IN ANY FUTURE DEVELOPMENT ON THE PROPERTY.

**PARCEL MAP**

PLN070197

PREPARED FOR  
 CHARLES E. MARTIN  
 3150 PARK ROAD  
 SLEEDEN, CA

PREPARED BY  
 STEWENBERG COUNTY SURVEYS  
 SALINAS, CA

RECEIVED  
 OCT 3 0 2012  
 PUBLIC WORKS ADMIN

**OWNER'S STATEMENT**

I HEREBY STATE THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO, THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP, AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID PROPERTY, AND THAT WE DO NOT HAVE ANY OTHER INTEREST IN SAID PROPERTY, AND THAT WE DO NOT HAVE ANY SUBDIVISION AS SHOWN WITHIN THE SUBDIVISION BOUNDARY LINES.

CHARLES E. MARTIN  
 TRUSTEE OF THE MARTIN  
 LIVING TRUST U/D/T  
 DATED JULY 23, 2005

JUDY A. MARTIN  
 TRUSTEE OF THE MARTIN  
 LIVING TRUST U/D/T  
 DATED JULY 23, 2005

**NOTARY ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

BEFORE ME, \_\_\_\_\_  
 A PUBLIC NOTARY, PERSONALLY KNOWN TO ME, AND WHOSE VALIDITY AND PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS WHOSE NAMES IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT 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 SEAL.

SIGNATURE: \_\_\_\_\_  
 \_\_\_\_\_

**SURVEYOR'S STATEMENT**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF MR. CHARLES E. MARTIN IN SEPTEMBER, 2009. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY COMBINES TO THE APPROVED OR CONDITIONALLY APPROVED ENTRATIVE MAP, IF ANY, I ALSO STATE THAT I HAVE CONDUCTED A REASONABLE AND DILIGENT SEARCH OF THE PUBLIC RECORDS AND THAT THE INSTRUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

SCOTT P. HAYTHORNED, PLS 0065 DATE \_\_\_\_\_

**COUNTY SURVEYOR'S STATEMENT**

I, \_\_\_\_\_ COUNTY SURVEYOR OF MONTEREY COUNTY, HEREBY STATE THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF AS APPROVED BY THE DIRECTOR OF THE MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY. I HAVE REVIEWED THE MONTEREY COUNTY RMA - PLANNING DEPARTMENT'S RECOMMENDATIONS ON THIS MAP, AND I HEREBY STATE THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATED: \_\_\_\_\_

COUNTY SURVEYOR \_\_\_\_\_

**SIGNATURES OMITTED**

SIGNATURES NOT REQUIRED PER SECTION 66436 OF THE GOVERNMENT CODE:

THE PACIFIC GAS AND ELECTRIC COMPANY, EASEMENT HOLDER UNDER DOCUMENT RECORDED SEPTEMBER 29, 1966 IN REEL 2006, PAGE 511, OFFICIAL RECORDS.

PACIFIC BELL, EASEMENT HOLDER UNDER DOCUMENT RECORDED OCTOBER 10, 1966 IN REEL 642L PAGE 1065, OFFICIAL RECORDS EXACT LOCATION NOT DESCRIBED.

PACIFIC BELL, EASEMENT HOLDER UNDER DOCUMENT RECORDED OCTOBER 10, 1969 IN REEL 242L PAGE 1069, OFFICIAL RECORDS EXACT LOCATION NOT DESCRIBED.

PACIFIC BELL, EASEMENT HOLDER UNDER DOCUMENT RECORDED NOVEMBER 8, 1989 IN REEL 2433, PAGE 1030, OFFICIAL RECORDS EXACT LOCATION NOT DESCRIBED.

**RECORDER'S STATEMENT**

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_ M IN VOLUME \_\_\_\_\_ OF PARCEL MAPS AT PAGE \_\_\_\_\_ AT THE REQUEST OF STEWENBERG COUNTY SURVEYS.

STEPHEN VAGNINI COUNTY RECORDER  
 BY \_\_\_\_\_ DEPUTY

DOC. NO. \_\_\_\_\_ FEES: \_\_\_\_\_

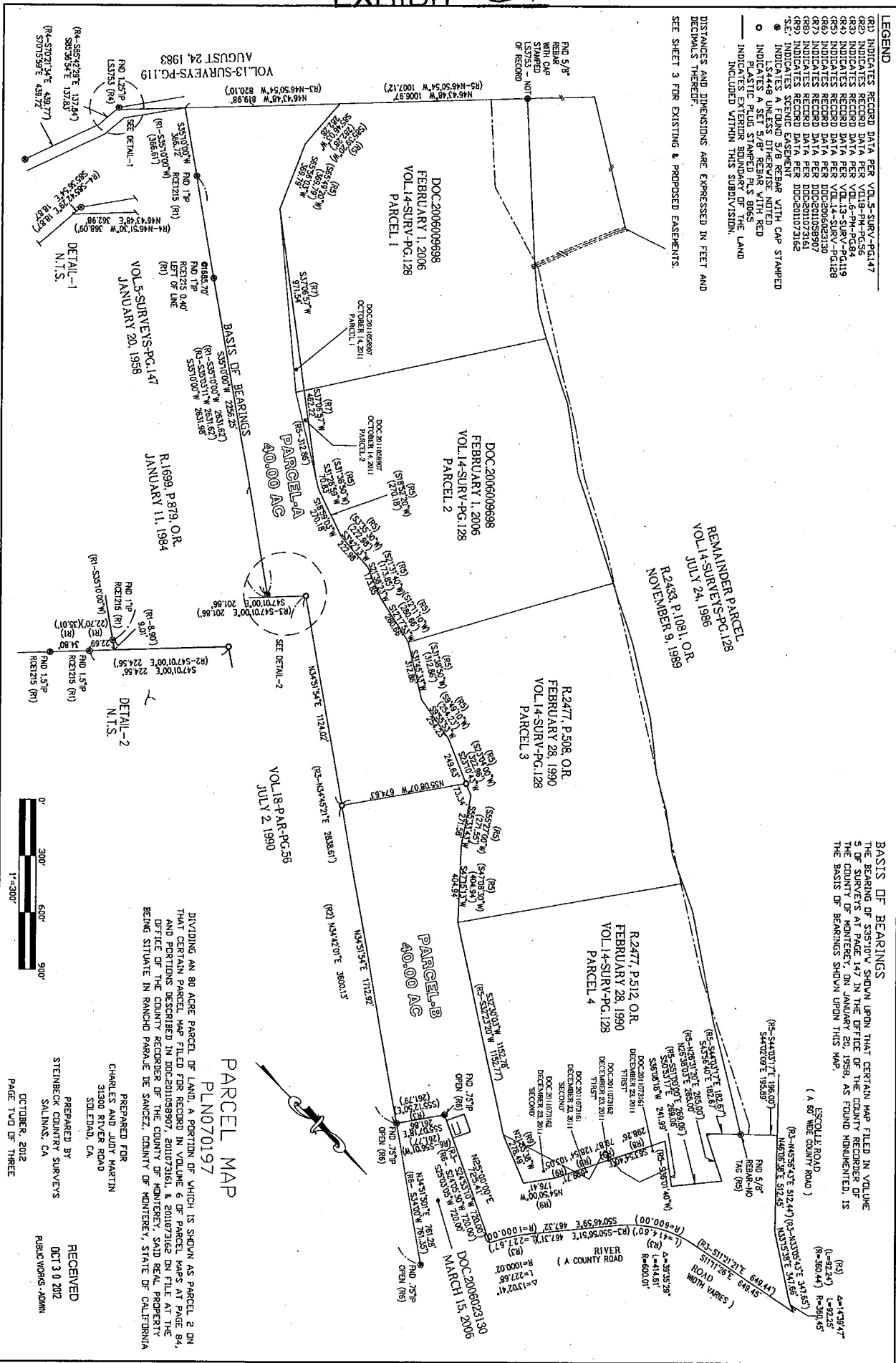
10/3

# EXHIBIT C

- LEGEND**
- (R2) INDICATES RECORD DATA PER VOL. 5-SURV-PG.147
  - (R3) INDICATES RECORD DATA PER VOL. 18-PM-PG.56
  - (R4) INDICATES RECORD DATA PER VOL. 6-PM-PG.84
  - (R5) INDICATES RECORD DATA PER VOL. 13-SURV-PG.119
  - (R6) INDICATES RECORD DATA PER VOL. 14-SURV-PG.128
  - (R7) INDICATES RECORD DATA PER VOL. 14-SURV-PG.128
  - (R8) INDICATES RECORD DATA PER DDC-2011072161
  - (R9) INDICATES RECORD DATA PER DDC-2011072161
  - (R10) INDICATES RECORD DATA PER DDC-2011072161
  - (R11) INDICATES RECORD DATA PER DDC-2011072161
  - (R12) INDICATES RECORD DATA PER DDC-2011072161
  - (R13) INDICATES RECORD DATA PER DDC-2011072161
  - (R14) INDICATES RECORD DATA PER DDC-2011072161
  - (R15) INDICATES RECORD DATA PER DDC-2011072161
  - (R16) INDICATES RECORD DATA PER DDC-2011072161
  - (R17) INDICATES RECORD DATA PER DDC-2011072161
  - (R18) INDICATES RECORD DATA PER DDC-2011072161
  - (R19) INDICATES RECORD DATA PER DDC-2011072161
  - (R20) INDICATES RECORD DATA PER DDC-2011072161
  - (R21) INDICATES RECORD DATA PER DDC-2011072161
  - (R22) INDICATES RECORD DATA PER DDC-2011072161
  - (R23) INDICATES RECORD DATA PER DDC-2011072161
  - (R24) INDICATES RECORD DATA PER DDC-2011072161
  - (R25) INDICATES RECORD DATA PER DDC-2011072161
  - (R26) INDICATES RECORD DATA PER DDC-2011072161
  - (R27) INDICATES RECORD DATA PER DDC-2011072161
  - (R28) INDICATES RECORD DATA PER DDC-2011072161
  - (R29) INDICATES RECORD DATA PER DDC-2011072161
  - (R30) INDICATES RECORD DATA PER DDC-2011072161
  - (R31) INDICATES RECORD DATA PER DDC-2011072161
  - (R32) INDICATES RECORD DATA PER DDC-2011072161
  - (R33) INDICATES RECORD DATA PER DDC-2011072161
  - (R34) INDICATES RECORD DATA PER DDC-2011072161
  - (R35) INDICATES RECORD DATA PER DDC-2011072161
  - (R36) INDICATES RECORD DATA PER DDC-2011072161
  - (R37) INDICATES RECORD DATA PER DDC-2011072161
  - (R38) INDICATES RECORD DATA PER DDC-2011072161
  - (R39) INDICATES RECORD DATA PER DDC-2011072161
  - (R40) INDICATES RECORD DATA PER DDC-2011072161
  - (R41) INDICATES RECORD DATA PER DDC-2011072161
  - (R42) INDICATES RECORD DATA PER DDC-2011072161
  - (R43) INDICATES RECORD DATA PER DDC-2011072161
  - (R44) INDICATES RECORD DATA PER DDC-2011072161
  - (R45) INDICATES RECORD DATA PER DDC-2011072161
  - (R46) INDICATES RECORD DATA PER DDC-2011072161
  - (R47) INDICATES RECORD DATA PER DDC-2011072161
  - (R48) INDICATES RECORD DATA PER DDC-2011072161
  - (R49) INDICATES RECORD DATA PER DDC-2011072161
  - (R50) INDICATES RECORD DATA PER DDC-2011072161
  - (R51) INDICATES RECORD DATA PER DDC-2011072161
  - (R52) INDICATES RECORD DATA PER DDC-2011072161
  - (R53) INDICATES RECORD DATA PER DDC-2011072161
  - (R54) INDICATES RECORD DATA PER DDC-2011072161
  - (R55) INDICATES RECORD DATA PER DDC-2011072161
  - (R56) INDICATES RECORD DATA PER DDC-2011072161
  - (R57) INDICATES RECORD DATA PER DDC-2011072161
  - (R58) INDICATES RECORD DATA PER DDC-2011072161
  - (R59) INDICATES RECORD DATA PER DDC-2011072161
  - (R60) INDICATES RECORD DATA PER DDC-2011072161
  - (R61) INDICATES RECORD DATA PER DDC-2011072161
  - (R62) INDICATES RECORD DATA PER DDC-2011072161
  - (R63) INDICATES RECORD DATA PER DDC-2011072161
  - (R64) INDICATES RECORD DATA PER DDC-2011072161
  - (R65) INDICATES RECORD DATA PER DDC-2011072161
  - (R66) INDICATES RECORD DATA PER DDC-2011072161
  - (R67) INDICATES RECORD DATA PER DDC-2011072161
  - (R68) INDICATES RECORD DATA PER DDC-2011072161
  - (R69) INDICATES RECORD DATA PER DDC-2011072161
  - (R70) INDICATES RECORD DATA PER DDC-2011072161
  - (R71) INDICATES RECORD DATA PER DDC-2011072161
  - (R72) INDICATES RECORD DATA PER DDC-2011072161
  - (R73) INDICATES RECORD DATA PER DDC-2011072161
  - (R74) INDICATES RECORD DATA PER DDC-2011072161
  - (R75) INDICATES RECORD DATA PER DDC-2011072161
  - (R76) INDICATES RECORD DATA PER DDC-2011072161
  - (R77) INDICATES RECORD DATA PER DDC-2011072161
  - (R78) INDICATES RECORD DATA PER DDC-2011072161
  - (R79) INDICATES RECORD DATA PER DDC-2011072161
  - (R80) INDICATES RECORD DATA PER DDC-2011072161
  - (R81) INDICATES RECORD DATA PER DDC-2011072161
  - (R82) INDICATES RECORD DATA PER DDC-2011072161
  - (R83) INDICATES RECORD DATA PER DDC-2011072161
  - (R84) INDICATES RECORD DATA PER DDC-2011072161
  - (R85) INDICATES RECORD DATA PER DDC-2011072161
  - (R86) INDICATES RECORD DATA PER DDC-2011072161
  - (R87) INDICATES RECORD DATA PER DDC-2011072161
  - (R88) INDICATES RECORD DATA PER DDC-2011072161
  - (R89) INDICATES RECORD DATA PER DDC-2011072161
  - (R90) INDICATES RECORD DATA PER DDC-2011072161
  - (R91) INDICATES RECORD DATA PER DDC-2011072161
  - (R92) INDICATES RECORD DATA PER DDC-2011072161
  - (R93) INDICATES RECORD DATA PER DDC-2011072161
  - (R94) INDICATES RECORD DATA PER DDC-2011072161
  - (R95) INDICATES RECORD DATA PER DDC-2011072161
  - (R96) INDICATES RECORD DATA PER DDC-2011072161
  - (R97) INDICATES RECORD DATA PER DDC-2011072161
  - (R98) INDICATES RECORD DATA PER DDC-2011072161
  - (R99) INDICATES RECORD DATA PER DDC-2011072161
  - (R100) INDICATES RECORD DATA PER DDC-2011072161

DISTANCES AND DIMENSIONS ARE EXPRESSED IN FEET AND DECIMALS THEREOF.

SEE SHEET 3 FOR EXISTING & PROPOSED EASEMENTS.



**BASIS OF BEARINGS**

THE BEARINGS SHOWN UPON THIS CERTAIN MAP FILED IN VOLUME 5 OF COUNTY RECORDS AND PARCEL 147 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, CALIFORNIA, AS FOUND HEREUNDER, IS THE BASIS OF BEARINGS SHOWN UPON THIS MAP.

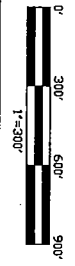
DIVIDING AN 80 ACRE PARCEL OF LAND, A PORTION OF WHICH IS SHOWN AS PARCEL 2 ON THAT CERTAIN PARCEL MAP FILED FOR RECORD IN VOLUME 6 OF PARCEL MAPS AT PAGE 84, AND PORTIONS DESCRIBED IN DDC-2010098907, 201073161, & 201073162 ON FILE AT THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, SAID REAL PROPERTY BEING SITUATE IN RANCHO PARALE DE SANCCZ, COUNTY OF MONTEREY, STATE OF CALIFORNIA

PREPARED FOR  
CHARLES AND JUDY MARTIN  
3150 RIVER ROAD  
SOLIDNO, CA

PREPARED BY  
STEINBERG COUNTY SURVEYS  
SALINAS, CA

OCT 3 0 2012  
PUBLIC WORKS - ADMIN

OCTOBER, 2012  
PAGE TWO OF THREE



**PARCEL MAP**  
PLAN 070197

**LEGEND**

- INDICATES RECORD DATA PER VOL. 5-SURV-PG.147
- INDICATES RECORD DATA PER VOL. 18-PH-PG.56
- INDICATES RECORD DATA PER VOL. 13-SURV-PG.119
- INDICATES RECORD DATA PER VOL. 14-SURV-PG.128
- INDICATES RECORD DATA PER DOC. 2006023130
- INDICATES RECORD DATA PER DOC. 2010098907
- INDICATES RECORD DATA PER DOC. 2011073182
- INDICATES SCENIC EASEMENT
- INDICATES A FOUND 5/8 REBAR WITH CAP STAMPED L54448 UNLESS OTHERWISE NOTED
- INDICATES A SET 5/8 REBAR WITH CAP STAMPED L54448 UNLESS OTHERWISE NOTED
- INDICATES EXTERIOR BOUNDARY OF THE LAND INCLUDED WITHIN THIS SUBDIVISION.

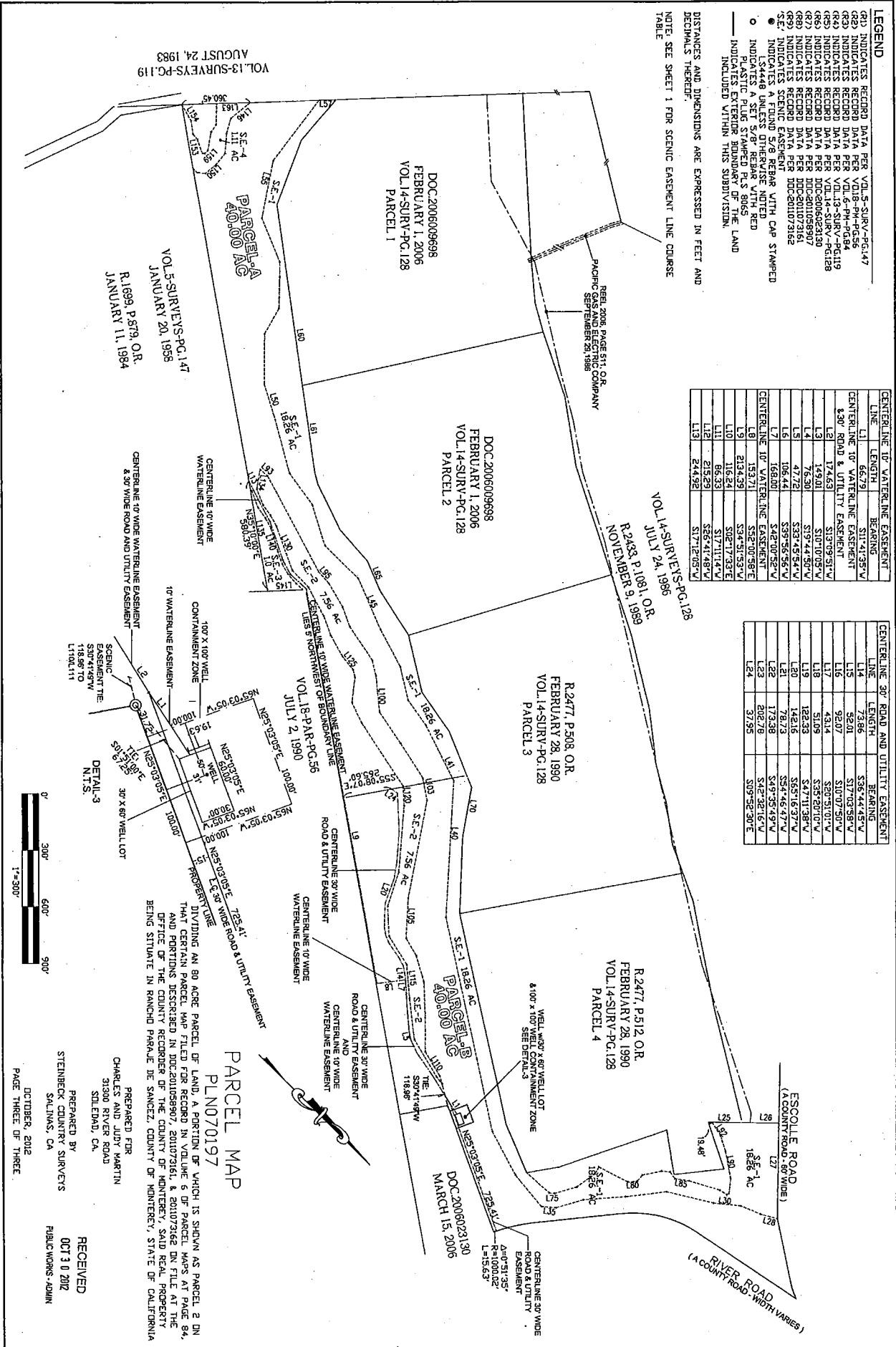
DISTANCES AND DIMENSIONS ARE EXPRESSED IN FEET AND DECIMALS THEREOF.  
 TABLE SEE SHEET 1 FOR SCENIC EASEMENT LINE COURSE

**CENTERLINE 10' WATERLINE EASEMENT**

LINE	LENGTH	BEARING
L1	66.79	S11°41'35"V
L2	174.63	S10°10'05"V
L3	149.01	S10°10'05"V
L4	76.30	S19°44'50"V
L5	47.72	S39°45'54"V
L6	106.44	S39°56'56"V
L7	168.00	S42°00'52"V
L8	183.71	S52°00'56"V
L9	218.29	S34°51'53"V
L10	116.24	S08°17'33"E
L11	86.33	S17°11'14"V
L12	215.29	S26°41'48"V
L13	244.92	S17°28'05"V

**CENTERLINE 30' ROAD AND UTILITY EASEMENT**

LINE	LENGTH	BEARING
L14	73.86	S36°44'45"V
L15	58.01	S17°03'58"V
L16	92.07	S10°07'50"V
L17	431.4	S07°51'01"V
L18	51.09	S35°28'10"V
L19	122.33	S47°11'38"V
L20	148.16	S65°16'37"V
L21	78.73	S54°46'47"V
L22	173.38	S49°54'49"V
L23	202.78	S42°32'16"V
L24	37.95	S09°52'30"E



VOL. 13-SURVEYS-PG. 119  
 AUGUST 24, 1983

PARCEL A  
 40.00 AC

VOL. 5-SURVEYS-PG. 147  
 JANUARY 20, 1985

R. 1899, P. 879, OR.  
 JANUARY 11, 1984

DOC. 2006009698  
 FEBRUARY 1, 2006  
 VOL. 14-SURV-PG. 128  
 PARCEL 1

DOC. 2006009698  
 FEBRUARY 1, 2006  
 VOL. 14-SURV-PG. 128  
 PARCEL 2

R. 2477, P. 508, OR.  
 FEBRUARY 28, 1990  
 VOL. 14-SURV-PG. 128  
 PARCEL 3

R. 2477, P. 512, OR.  
 FEBRUARY 28, 1990  
 VOL. 14-SURV-PG. 128  
 PARCEL 4

DOC. 2006023130  
 MARCH 15, 2006

**PARCEL MAP**  
 PLN070197

PREPARED FOR:  
 CHARLES AND JUDY MARTIN  
 31300 RIVER ROAD  
 SILELAND, CA

PREPARED BY:  
 STEINBECK COUNTRY SURVEYS  
 SALINAS, CA

RECEIVED  
 OCT 3 0 2012  
 PUBLIC WORKS - ADMIN

OCTOBER, 2012  
 PAGE THREE OF THREE