

DRAFT BOARD RESOLUTION

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

Resolution No. _____

Resolution of the Monterey County Board)
of Supervisors authorizing the County of)
Monterey to exchange 0.53 acres with)
Susan LeCraw, Trustee, and accept a)
Scenic and Conservation Easement from)
Susan LeCraw, Trustee.)
_____)

WHEREAS, on December 10, 2014, the Monterey County Planning Commission approved a Coastal Development Permit allowing a Lot Line Adjustment via Resolution No. 14-048.

WHEREAS, the Assessor’s Parcel Numbers (APN) for the properties involved are: APN 420-171-043-000 (Susan LeCraw, Trustee), and APN 420-171-044-000 (Monterey County)

WHEREAS, the County of Monterey acquired APN 420-171-044-000 in 1994 with Proposition 70 funds;

WHEREAS, APN 420-171-043-000 is owned by Susan LeCraw, Trustee of the SL Revocable Trust dated May 18, 2005; Susan LeCraw, Trustee of the LeCraw Children’s Trust A fbo Julian LeCraw; and Susan LeCraw, Trustee of the LeCraw Children’s Trust B fbo Ashton LeCraw.

WHEREAS, the approved Lot Line Adjustment is an equal exchange of 0.53 acres between Susan LeCraw, Trustee, and the County of Monterey.

WHEREAS, the Lot Line Adjustment fully places structural and utility improvements that were already in existence in 1994 at the time the County acquired APN 420-171-044-000, when both properties were under common ownership, entirely off County Property and onto the LeCraw property.

WHEREAS, the Lot Line Adjustment fulfills the intent of the County’s 1994 purchase of APN 420-171-044-000, which was to preserve the Big Sur Critical Viewshed by eliminating the development potential of the parcel, and provides the County an opportunity to preserve a biologically superior wildlife corridor.

WHEREAS, California Government Code Section 25365(b) allows the County to exchange real property with any person, firm or corporation for the purpose of removing defects in title or where the real property to be exchanged is not required for County use and the property to be acquired is required for County use, as long as the properties to be exchanged are of equal value, by a four-fifths vote of the Board of Supervisors.

WHEREAS, on August 11, 2016, the Monterey County Assessor’s Office determined that the properties being exchanged are of an equal value.

WHEREAS, Condition of Approval No. 7 requires that the Board of Supervisors must authorize the disposition and acceptance of the subject properties prior to a Lot Line Adjustment being completed.

WHEREAS, Condition of Approval No. 4 requires that the Board of Supervisors must accept a Conservation and Scenic Easement Deed, conveying to Monterey County, those portions of APN 420-171-043-000 where the slope exceeds 30 percent prior to the Certificate of Compliance being recorded.

WHEREAS, Satisfaction of Conditions No. 7 and No. 4 of Planning Commission Resolution No. 14-048 will allow the Lot Line Adjustment between Monterey County and Susan LeCraw, Trustee, to be completed.

DECISION

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby:

- a. Authorize, by a four-fifths vote, acceptance of a 0.53 acre property in Big Sur from Susan LeCraw, Trustee, to Monterey County; and
- b. Authorize, by a four-fifths vote, conveyance of a 0.53 acre property in Big Sur from Monterey County to Susan LeCraw, Trustee; and
- c. Authorize the Director of the Resource Management Agency to execute Grant Deeds exchanging property between Monterey County and Susan LeCraw, Trustee; and
- d. Direct the Clerk of the Board to submit the executed Grant Deeds exchanging property between Monterey County and Susan LeCraw, Trustee, to Monterey County Recorder for recording, subject to the collection of the applicable recording fees; and
- e. Accept a Conservation and Scenic Easement for areas on the adjusted parcel owned by Susan LeCraw, Trustee, where slopes exceed 30 percent; and
- f. Authorize the Director of the Resource Management Agency to execute the Conservation and Scenic Easement Deed for the adjusted parcel owned by Susan LeCraw, Trustee; and
- g. Direct the Clerk of the Board to submit the executed Conservation and Scenic Easement Deed for the adjusted parcel owned by Susan LeCraw, Trustee, to the County Recorder for recording.

PASSED AND ADOPTED on this _____, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

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___ for the meeting on _____.

Dated:

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

By _____
Deputy