



Monterey County

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Resolution No.: 13-216

Upon motion of Supervisor Salinas, seconded by Supervisor Calcagno and carried by those members present, the Board of Supervisors hereby:

Held a Public hearing and:

- a. Approved Resolution No. 13-216 approving a Lot Line Adjustment of Williamson Act Lands to decrease Parcel A (Assessor's Parcel Number 424-081-079-000 and southern portion of Assessor's Parcel Number 424-081-078-000) from 160 acres to 156 acres; decrease Parcel B (Assessor's Parcel Number 424-081-080-000) from 160 acres to 157 acres; increase Parcel C (Assessor's Parcel Number 424-081-077-000) from 148 acres to 227.6 acres and decrease Parcel D (western portion of Assessor's Parcel Number 424-081-083-000) from 177.6 acres to 105. Parcel A (Assessor's Parcel Number 424-081-079-000) is within a Williamson Act Agricultural Preserve per Land Conservation Contract No. 71-38;
- b. Authorized the Chair to execute new or amended Land Conservation Contract, in order to rescind a portion of the existing Land Conservation Contract as applicable to the reconfigured lots only and simultaneously execute new or amended Land Conservation Contract for the reconfigured lots between the County and the Property Owners of Record, reflecting the new legal description, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
- c. Directed the Clerk of the Board to record the new or amended Contract concurrently with the recordation of the Certificates of Compliance for the reconfigured Williamson Act parcels. (Lot Line Adjustment - PLN120371 / Porter Estates Company Bradley Ranch, Inc., south of Jolon Road and north of Nacimiento Lake Drive, South County Area Plan)

PASSED AND ADOPTED on this 9th day of July 2013, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter
 NOES: None
 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 July 9, 2013.

Dated: July 12, 2013
File Number: 13-0720

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

By *Danise Hancock*
Deputy

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

Resolution No. 13-216

- a. Approving a Lot Line Adjustment of)
 Williamson Act Lands to decrease Parcel)
 A (Assessor's Parcel Number 424-081-)
 079-000 and southern portion of)
 Assessor's Parcel Number 424-081-078-)
 000) from 160 acres to 156 acres; decrease)
 Parcel B (Assessor's Parcel Number 424-)
 081-080-000) from 160 aces to 157 acres;)
 increase Parcel C (Assessor's Parcel)
 Number 424-081-077-000) from 148 acres)
 to 227.6 acres and decrease Parcel D)
 (western portion of Assessor's Parcel)
 Number 424-081-083-000) from 177.6)
 acres to 105. Parcel A (Assessor's Parcel)
 Number 424-081-079-000) is within a)
 Williamson Act Agricultural Preserve per)
 Land Conservation Contract No. 71-38;)
- b. Authorizing the Chair to execute new or)
 amended Land Conservation Contract, in)
 order to rescind a portion of the existing)
 Land Conservation Contract as applicable)
 to the reconfigured lots only and)
 simultaneously execute new or amended)
 Land Conservation Contract for the)
 reconfigured lots between the County and)
 the Property Owners of Record, reflecting)
 the new legal description, current)
 ownership interests and to incorporate any)
 legislative changes to State Williamson)
 Act provisions and current County)
 Agricultural Preserve Policies or)
 Procedures; and)
- c. Directing the Clerk of the Board to record)
 the new or amended Contract concurrently)
 with the recordation of the Certificates of)
 Compliance for the reconfigured)
 Williamson Act parcels.)
)
 (PLN120371/Porter Estates Company Bradley)
 Ranch, Inc.))

RECITALS

WHEREAS, Parcel A consists of two (2) Assessor's parcels: Assessor's Parcel Number 424-081-079-000 and Assessor's Parcel Number 424-081-078-000. A portion of Parcel A is within

Williamson Act Agricultural Preserve per Land Conservation Contract No. 71-38 (Assessor's Parcel Number 424-081-079-000) and is owned by Porter Estates Company Bradley Ranch, Inc. The subject lot line adjustment is between four contiguous parcels known as Parcel A, Parcel B, Parcel C and Parcel D. Parcel A (Assessor's Parcel Number 424-081-079-000 and southern portion of Assessor's Parcel Number 424-081-078-000) will be decreased from 160 acres to 156 acres, Parcel B (Assessor's Parcel Number 424-081-080-000) will be decreased from 160 acres to 157 acres, Parcel C (Assessor's Parcel Number 424-081-077-000) will increase from 148 acres to 227.6 acres, Parcel D (western portion of Assessor's Parcel Number 424-081-083-000) will decrease from 177.6 acres to 105 acres; and

WHEREAS, the Lot Line Adjustment will result in four (4) reconfigured separate parcels totaling and is between more than one and less than four existing adjoining parcels. The project area includes a total of 645.6 acres, and is being proposed to allow a neighboring vineyard to expand its vineyards. The Lot Line Adjustment will also align the existing property lines along with the natural topography of the land; and

WHEREAS, the Board of Supervisors finds that the proposed Lot Line Adjustment of property is consistent with policies of the Monterey County General Plan, the Central Salinas 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 (Williamson Act), and Land Conservation Contract No. 71-38 as evidenced below; and

WHEREAS, the Board of Supervisors declares that:

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE:

 - a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 2010 Monterey County General Plan;
 - South County Area Land Use Plan;
 - Monterey County Zoning Ordinance (Title 21);
 - Monterey County Subdivision Ordinance (Title 19);
 No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
 - b) The property is located south of Jolon Road and north of Nacimiento Lake Drive (Assessor's Parcel Number 424-081-079-000 and southern portion of Assessor's Parcel Number 424-081-078-000, 424-081-080-000, 424-081-077-000, western portion of Assessor's Parcel Number 424-081-083-000), South County Area Plan. The parcel is zoned F/40 or "Farmlands, which allows Administrative Lot Line Adjustments. Therefore, the project is an allowed land use for this site.
 - c) The subject Lot Line Adjustment is being proposed to allow a neighboring winegrower to expand its vineyards. The Lot Line Adjustment will align the existing property lines along with the natural topography of the land.
 - d) The northern portion of Parcel A (Assessor's Parcel Number 424-081-

079-000) is under Williamson Act Agricultural Preserve Land Conservation Contract 71-38. The acreage under contract will not change after the lot line adjustment and therefore there is no net decrease or increase of land under Williamson Act Agricultural Preserve Land Conservation Contract.

- e) Staff conducted a site inspection on June 20, 2012 to verify that the site is suitable for this use.
- f) The project was not referred to the South County Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because the Lot Line Adjustment did not involve any conflicts or variances and is exempt from CEQA (See Finding 5 for discussion).
- g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120371.

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, South County Fire Protection District, Public Works, 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) The lower portion of Parcel A (160 acre parcel) and a small southern border of Parcel B (160 acre parcel) are located within a 100 Year Floodplain of Hames Creek, more specifically a “Special Flood Hazard Area.” No development is proposed however, the Water Resources Agency has placed a condition of approval requiring the recordation of Floodplain Notice which states that this area of the parcel is subject to building and/or land use restrictions.
 - c) Staff conducted a site inspection on June 20, 2012 to verify that the site is suitable for this use.
 - d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120371.

3. **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:**
- a) The project was reviewed by the RMA - Planning Department, South County Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective agencies have

recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

- b) Necessary public facilities are available. Water will continue to be provided from an existing reservoir located on Parcel A. The project was reviewed by the Environmental Health Bureau and there was no indication that there were any issues with the Lot Line Adjustment.
- c) Staff conducted a site inspection on June 20, 2012 to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120371.

4. **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.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection in June 20, 2012 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN120371.

5. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15305 (a), categorically exempts minor alterations in land use limitations in areas with an average slope of less than 20% which do not result in any changes in land use density, including minor lot line adjustments.
 - b) The subject Lot Line Adjustment involves four legal lots of record and will result in four lots of record. The subject parcels are accessed through an existing dirt road off of Jolon Road which is relatively flat (See Finding 6 for discussion).
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit on June 20, 2012.
 - d) Exceptions to exemptions listed in Section 15300.2.a-f are inapplicable. The project does not involve: alterations to a designated historical resource, a hazardous waste site, unusual circumstances that would result in a significant effect, development that would result in a cumulatively significant impact, nor development in a particularly sensitive environment.
 - e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning

Department for the proposed development found in Project File PLN120371.

6. **FINDING:** **LOT LINE ADJUSTMENT** – Section 66412 of the California Government Code (Subdivision Map Act) Title 19 (Subdivision Ordinance) of the Monterey County Code states that lot line adjustments may be granted based upon the following findings:

- 1. The lot line adjustment is between four (or fewer) existing adjoining parcels;
- 2. A greater number of parcels than originally existed will not be created as a result of the lot line adjustment;
- 3. The parcels resulting from the lot line adjustment conforms to the County’s general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

- EVIDENCE:**
- a) The four parcels have been determined to be legal parcels as follows:
 - 1) The subject parcel identified as Parcel A is a 160 acre parcel identified as Assessor's Parcel Number 424-081-079-000 and the southern portion of Assessor's Parcel Number 424-081-078-000, was created as a 160 acre parcel was created by a U.S Patent in Volume A of Patents, Page 514 recorded on June 1, 1875.
 - 2) The subject parcel identified as Parcel B is a 160 acre parcel, Assessor's Parcel Number 424-081-080-000, was created by a U.S Patent in Volume C of Patents, Page 140 recorded on April 18, 1890.
 - 3) The subject parcel identified as Parcel C is a 148 acres parcel, Assessor's Parcel Number 424-081-077-000, was re-configured through a lot line adjustment (Planning File Number PLN980407) recorded on Volume 23, Page 37 of Surveys. As a condition of approval, the owner/applicant will record a Certificate of Compliance for said lot line adjustment configuration.
 - 4) The subject parcel identified as Parcel D is a 177.6 acre parcel of record, western portion of Assessor's Parcel Number 424-081-083-000, was created as a 160 acre parcel was created by a U.S. Patent in Volume A of Patents, Page 511 and later merged by a Deed recorded on Reel 1413 and Page 84 recorded on June 11, 1980.
 - b) The Lot Line Adjustment is between more than one and less than four existing adjoining parcels. The project area includes a total of 645.6 acres. The Lot Line Adjustment will: 1) decrease Parcel A from 160 acres to 156 acres (Parcel 1); 2) decrease Parcel B from 160 acres to 157 acres (Parcel 2); 3) increase Parcel C from 148 acres to 227.6 acres (Parcel 3) and; 4) decrease Parcel D from 177.6 acres to 105 acres (Parcel 4) respectively.
 - c) The Lot Line Adjustment will not create a greater number of parcels than originally existed. Four (4) contiguous parcels of record will be adjusted and four (4) contiguous parcels of record will result. No new parcels will be created.
 - d) Pursuant to Government Code 66412 (Subdivision Map Act) and Monterey County Subdivision Ordinance (Section 19.09.025.B.1) the

Lot Line Adjustment is between more than one and less than four existing adjacent parcels. The subject lot line adjustment will adjust the boundaries of four existing parcels.

- e) Staff verified that the subject property is in compliance with all rules and regulations pertaining to the use of the property and that no violations exist on the property (see Finding 4). The proposed lot line adjustment is consistent with the Monterey County Zoning Ordinance (Title 21). Staff verified that the subject property is in compliance with all of the rules and regulations pertaining to the use of the property.
- f) The proposed Lot Line Adjustment is consistent with the Monterey County Zoning Ordinance Title 21. Staff verified that the subject property is in compliance with all rules and regulations pertaining to the use of the property that no violations exist on the property. The parcels conform to the zoning in place for each property. The parcels are zoned F/40 or "Farmlands, with a minimum density of 40 acres per lot." All four (4) parcels involved in the subject lot line adjustment will conform to the minimum parcel size of over one hundred acres each.
- g) Access to each new parcel exists from a dirt road off of Jolon Road. There is an existing 20 foot right of way on the southern portion of Parcel A providing access to Parcel B and a 20 foot wide road easement which provides access to Parcels C and D.
- h) 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 new lot is required per a standard condition of approval.
- i) The project planner conducted a site inspection on June 20, 2012 to verify that the project would not conflict with zoning or building ordinances.
- j) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN120371.

FINDINGS AND EVIDENCE TO APPROVE A LOT LINE ADJUSTMENT OF WILLIAMSON ACT LANDS

7. **FINDING:** **WILLIAMSON ACT – CONTRACTS** – Pursuant to California Government Code Section 51257.a.1, the new contract or amend contract 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.
- a) The proposed revision to Williamson Act Agricultural Preserve Land Conservation Contract 71-38 is applicable to Parcel A. No net acreage will increase or decrease as a result of the lot line adjustment. The boundaries of the contract will not change.
 - b) The term of the original Land Conservation Contract renews annually on each succeeding January 1. The new or amended contract for the reconfigured parcel, proposes an initial term of 20 years, which also renews annually on each succeeding January 1.

8. **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 parcels 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 contract is at least as great as the aggregate acreage restricted by the rescinded contracts.
- EVIDENCE:** a) A portion of Parcel A is under Williamson Act Agricultural Preserve Land Conservation Contract No. 71-38. Parcel A is a legal lot of record which is 160 acres south and north of Jolon Road. The contract describes the northern portion of Parcel A (Assessor's Parcel Number 424-081-079-000). The Lot Line Adjustment which will decrease Parcel A from 160 acres to 157 acres, but will not change the contract boundaries. The lot line adjustment will take place in the south portion of Parcel which is not under contract.
- b) The application, plans, and related support materials found in Planning File No. PLN120371.
9. **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 Contract No. 71-38 will continue to cover all of the acreage under the original Contract No. 71-38. No decrease or increase in acreage under Contract will result.
- b) The application and plans for a Lot Line Adjustment found in Planning File No. PLN120371.
10. **FINDING:** **WILLIAMSON ACT – SUSTAIN AGRICULTUAL 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.
- a) 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.” Parcel A, as amended, after the adjustment will still cover approximately 157 acres and will continue to sustain the agricultural use.
- b) The application, plans, and related support materials found in Planning File No. PLN120371.
11. **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 to align the existing property

lines with the natural typography of the land and facilitate the neighboring vineyard to expand his vineyard operations.

- b) The application, plans, and related support materials found in Planning File No. PLN120371.

12. 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 are designated as Farmlands, minimum building site of 40 acres. The Lot Line Adjustment will not affect current agricultural operations on the subject properties or 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, plans, and related support materials found in Planning File No. PLN120371.
 - c) See Finding 6.

13. 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 four (4) reconfigured parcels do not result in a greater number of developable parcels than existed prior to the adjustment. The Lot Line Adjustment will align the property lines with the natural vegetation. In addition, the Lot Line Adjustment will allow the adjacent neighboring parcel to expand his vineyards.
 - b) See Finding 6.
 - c) The application, plans, and related support materials found in Planning File No. PLN120371.

NOW THEREFORE, IT IS HEREBY RESOLVED that in order to facilitate the Lot Line Adjustment of Agricultural Preserve lands, the Board rescinds a portion of the existing Land Conservation Contract No. 71-38 as it applies to the reconfigured parcels, and authorizes the Chair to simultaneously execute new or amended Land Conservation Contract, which shall be applicable to the reconfigured parcels, consistent with Section 51257 of the State of California Government Code of the Williamson Act, pending receipt of new legal descriptions for the proposed reconfigured parcel and the execution of the new or amended Contract or Contract by the property owners;

IT IS FURTHER RESOLVED that, consistent with Government Code Section 51257, the Board authorizes the Chair to sign new or amended Land Conservation Contract, to simultaneously rescind a portion of the existing Land Conservation Contract No. 71-38 as applicable to the reconfigured parcels only, and to execute a new or amended Land Conservation Contract which shall be applicable to the reconfigured parcels;

IT IS FURTHER RESOLVED that the new or amended Land Conservation Contract shall reflect present ownership interests for the reconfigured parcels and shall incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve

Policies or Procedures, and the Chair of the Board is authorized to sign the new Land Conservation Contract with the property owners;

IT IS FURTHER RESOLVED that the Clerk is directed to record said new or amended Contract or Contracts upon recordation of the Certificates of Compliance for the reconfigured parcels, completion of the legal description or descriptions, and execution by the Chair;

IT IS FURTHER RESOLVED that the Board of Supervisors hereby approves said Lot Line Adjustment (Exhibit 1) subject to the attached conditions (Exhibit 2) which are incorporated by this reference.

DECISION

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

- a. Approve a Lot Line Adjustment of Williamson Act Lands to decrease Parcel A (Assessor's Parcel Number 424-081-079-000 and southern portion of Assessor's Parcel Number 424-081-078-000) from 160 acres to 156 acres; decrease Parcel B (Assessor's Parcel Number 424-081-080-000) from 160 acres to 157 acres; increase Parcel C (Assessor's Parcel Number 424-081-077-000) from 148 acres to 227.6 acres and decrease Parcel D (western portion of Assessor's Parcel Number 424-081-083-000) from 177.6 acres to 105. Parcel A (Assessor's Parcel Number 424-081-079-000) is within a Williamson Act Agricultural Preserve per Land Conservation Contract No. 71-38;
- b. Authorize the Chair to execute new or amended Land Conservation Contract, in order to rescind a portion of the existing Land Conservation Contract as applicable to the reconfigured lots only and simultaneously execute new or amended Land Conservation Contract for the reconfigured lots between the County and the Property Owners of Record, reflecting the new legal description, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
- c. Direct the Clerk of the Board to record the new or amended Contract concurrently with the recordation of the Certificates of Compliance for the reconfigured Williamson Act parcels.

PASSED AND ADOPTED upon motion of Supervisor Salinas seconded by Supervisor Calcagno and carried this 9th day of July 2013, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno Salinas, Parker and Potter
 NOES: None
 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 July 9, 2013.

Dated: July 12, 2013
File Number: 13-0720

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

By 
Deputy

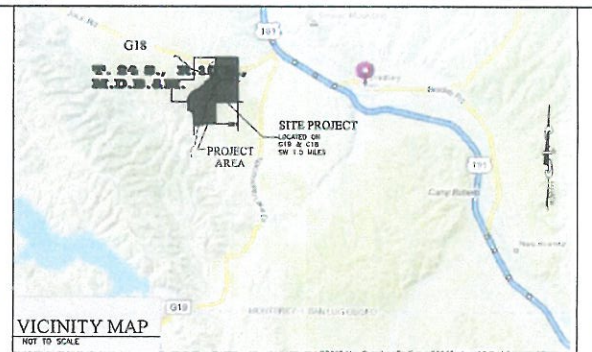
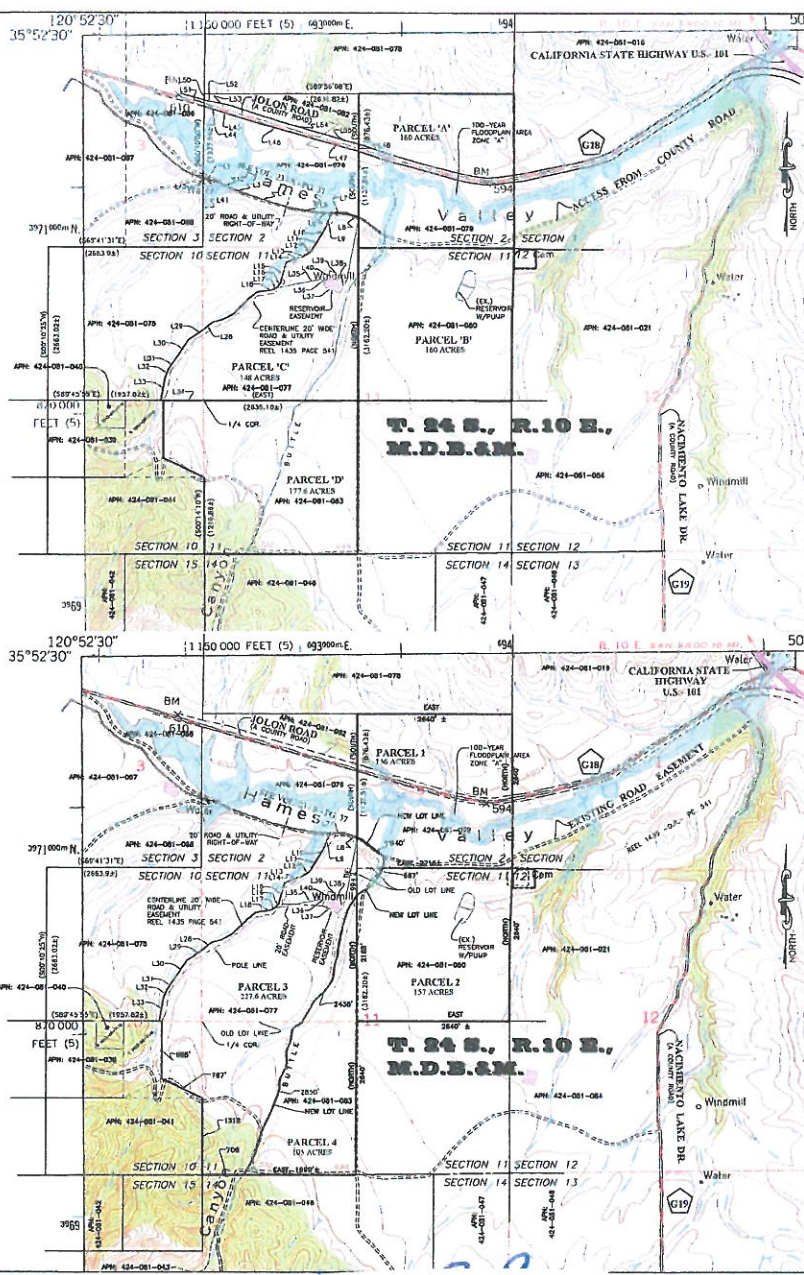
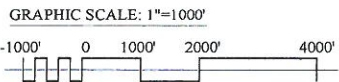
Exhibit 1
Lot Line Adjustment Map

COURSE TABLE (EXISTING)

LINE No.	BEARING	DISTANCE
L1	N75°42'07"W	269.64
L2	N61°02'00"W	208.85
L3	N65°41'21"W	238.23
L4	N71°57'08"W	835.28
L5	N89°34'07"W	472.30
L6	N86°56'30"W	222.70
L7	S89°43'30"E	251.32
L8	S71°53'21"E	218.93
L9	N24°07'40"E	288.84
L10	N28°28'54"E	75.78
L11	N51°26'17"E	375.43
L12	N55°32'58"E	76.87
L13	N65°17'45"E	149.83
L14	N68°45'18"E	234.99
L15	N18°59'47"E	288.76
L16	N16°42'33"E	75.53
L17	N35°10'11"E	78.88
L18	N53°42'02"E	75.96
L19	N72°01'07"E	75.71
L20	N85°51'52"E	74.20
L21	N78°28'23"E	139.60
L22	N50°23'52"E	165.47
L23	N44°59'17"E	223.32
L24	N44°48'01"E	148.89
L25	N61°21'13"E	135.32
L26	N68°59'03"E	89.06
L27	N72°45'23"E	148.50
L28	N57°12'38"E	223.51
L29	N56°26'41"E	296.28
L30	N34°15'46"E	373.13
L31	N33°26'50"E	224.55
L32	N23°40'42"E	148.84
L33	N19°00'00"E	420.83
L34	N89°45'55"W	263.18
L35	S78°52'10"E	837.84
L36	N65°00'00"E	42.87
L37	N65°18'52"W	303.02
L38	S26°17'18"W	284.82
L39	S65°07'44"E	318.54
L40	N23°10'16"E	285.95
L41	N00°10'00"W	1087.40
L42	N00°10'00"W	92.00
L43	N/A	N/A
L44	S73°56'11"E	282.16
L45	S72°08'41"E	400.95
L46	S73°36'31"E	948.01
L47	S74°08'31"E	1130.06
L48	SOUTH	120.47
L49	SOUTH	876.432
L50	S00°10'00"E	105.28
L51		
L52	S32°22'37"E	47.61
L53	S77°47'41"E	600.40
L54	S71°45'19"E	909
L55	S73°37'52"E	1396.07

COURSE TABLE (PROPOSED)

LINE No.	BEARING	DISTANCE
L1	N75°42'07"W	269.64
L2	N61°02'00"W	208.85
L3	N65°41'21"W	238.23
L4	N71°57'08"W	835.28
L5	N89°34'07"W	472.30
L6	N86°56'30"W	222.70
L7	S89°43'30"E	251.32
L8	S71°53'21"E	218.93
L9	N24°07'40"E	288.84
L10	N28°28'54"E	75.78
L11	N51°26'17"E	375.43
L12	N55°32'58"E	76.87
L13	N65°17'45"E	149.83
L14	N68°45'18"E	234.99
L15	N18°59'47"E	288.76
L16	N16°42'33"E	75.53
L17	N35°10'11"E	78.88
L18	N53°42'02"E	75.96
L19	N72°01'07"E	75.71
L20	N85°51'52"E	74.20
L21	N78°28'23"E	139.60
L22	N50°23'52"E	165.47
L23	N44°59'17"E	223.32
L24	N44°48'01"E	148.89
L25	N61°21'13"E	135.32
L26	N68°59'03"E	89.06
L27	N72°45'23"E	148.50
L28	N57°12'38"E	223.51
L29	N56°26'41"E	296.28
L30	N34°15'46"E	373.13
L31	N33°26'50"E	224.55
L32	N23°40'42"E	148.84
L33	N19°00'00"E	420.83
L34	N/A	N/A
L35	S78°52'10"E	837.84
L36	N65°00'00"E	42.87
L37	N65°18'52"W	303.02
L38	S26°17'18"W	284.82
L39	S65°07'44"E	318.54
L40	N23°10'16"E	285.95
L41	N/A	N/A
L42	S78°52'10"E	837.84
L43	N65°00'00"E	42.87
L44	N65°18'52"W	303.02
L45	S26°17'18"W	284.82
L46	S65°07'44"E	318.54
L47	N23°10'16"E	285.95
L48	N/A	N/A
L49	S78°52'10"E	837.84
L50	N65°00'00"E	42.87
L51	N65°18'52"W	303.02
L52	S26°17'18"W	284.82
L53	S65°07'44"E	318.54
L54	N23°10'16"E	285.95
L55	N/A	N/A



EXISTING:

RECAPITULATION OF AREAS:

PARCEL 'A'	= 160 AC.
PARCEL 'B'	= 160 AC.
PARCEL 'C'	= 148 AC.
PARCEL 'D'	= 177.6 AC.
TOTAL	= 645.6 AC.±

DOCUMENT REFERENCES:

ASSESSOR'S PARCEL No.	LEGAL DOCUMENT
PARCEL 'A' APN: 424-081-079	VOL. "A" OF PATENTS PG. 514
PARCEL 'B' APN: 424-081-080	VOL. "C" OF PATENTS PG. 149
PARCEL 'C' APN: 424-081-077	VOL. 23 OF SURVEYS PG. 37
PARCEL 'D' APN: 424-081-083	VOL. "A" OF PATENTS PG. 511 REEL 1413 - OR - PC 81

WHITE & MILLER INC. LETTER, DATED 09/10/1978

PROJECT INFORMATION:

PROJECT DESCRIPTION:
TO CORRECT THE EXISTING LOT LINES (THE GEOMETRIC SUB-SECTIONS OF A TOWNSHIP MAP) TO ACTUAL FARMABLE LOTS (GEOGRAPHIC AREA SEPARATED BY GEOLOGICAL FEATURES).

PROJECT ADDRESS:
INTERSECTION MAGNOLIA LAKE DR. (G19) AND JOLON ROAD (G18)
-SOUTHWEST 1.5 MILES.

ZONING: F-40

EXISTING USE: FARM LAND

PROPOSED USE: FARM LAND

TREE REMOVAL: N/A

FLOOD PLAIN NOTE:
SOME AREA OF THE HAVES CREEK ON THE NORTH PORTION OF THE SUBJECT PROPERTY IS PARTIALLY LOCATED WITHIN ZONE A, 100-YEAR FLOODPLAIN, AS SHOWN ON FEMA FLOOD INSURANCE MAP, 06053C1925C, EFFECTIVE DATE APRIL 2, 2009.

PLN120371
LOT LINE
ADJUSTMENT MAP

APN 424-081-077, APN 424-081-079,
APN 424-081-080 & APN 424-081-083

SHOWING THE ADJUSTMENT BETWEEN FOUR EXISTING LEGAL LOTS OF RECORD SITUATE IN PORTIONS OF SECTIONS 2, 10 & 11, TOWNSHIP 24 SOUTH, RANGE 10 EAST, MOUNT Diablo MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, COUNTY OF MONTEREY, STATE OF CALIFORNIA.

DATE: 7/25/2012

DRAWN BY:
SECTIONS 2, 10 & 11, TOWNSHIP 24 SOUTH,
RANGE 10 EAST, MOUNT Diablo MERIDIAN
COUNTY OF MONTEREY,
STATE OF CALIFORNIA

DWNER:
PORTER ESTATE COMPANY
BRADLEY RANCH, INC.
ATTN: MR. EDWARD WINSLOW
100 BUSH STREET, SUITE 800
SAN FRANCISCO, CA 94104
PH: (415) 291-9325

APPRAISER:
VALLEY FARM
MANAGEMENT
ATTN: MR. RICHARD SMITH
P.O. DRAWER "A"
SOLEDA, CA 93960
PH: (831) 678-1592

PROPOSED:

RECAPITULATION OF AREAS:

PARCEL 1	= 156 AC.±
PARCEL 2	= 157 AC.±
PARCEL 3	= 227.6 AC.±
PARCEL 4	= 105 AC.±
TOTAL	= 645.6 AC.±

PREPARED BY:
SALINAS VALLEY SURVEYORS, INC.
PHILIP PEARMAN
210 CAPITOL ST., SUITE 1015
SALINAS, CALIFORNIA 93901

DATE: 7/25/2012
SHEET ONE OF ONE
REVISED:

SCALE: 1:1000
JOB No.

Exhibit 2
Recommended Conditions of Approval

Monterey County Planning Department
Condition of Approval Implementation Plan/Mitigation
Monitoring Reporting Plan

PLN120371

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This a Lot Line Adjustment of Williamson Act Lands to decrease Parcel A (Assessor's Parcel Number 424-081-079-000 and southern portion of Assessor's Parcel Number 424-081-078-000) from 160 acres to 156 acres; decrease Parcel B (Assessor's Parcel Number 424-081-080-000) from 160 acres to 157 acres; increase Parcel C (Assessor's Parcel Number 424-081-077-000) from 148 acres to 227.6 acres and decrease Parcel D (western portion of Assessor's Parcel Number 424-081-083-000) from 177.6 acres to 105 acres parcels are owned by Porter Estates Company Bradley Ranch, Inc. Parcel A (Assessor's Parcel Number 424-081-079-000) is within a Williamson Act Agricultural Preserves per Land Conservation Contract No. 71-38, owned by Porter Estates Company Bradley Ranch, Inc. located south of Jolon Road and north of Nacimiento Lake Drive, South County was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

Condition/Mitigation The applicant shall record a Permit Approval Notice. This notice shall state:

Monitoring Measure: "A Lot Line Adjustment () was approved by the Board of Supervisors for Assessor's Parcel Number 424-081-079-000 and southern portion of Assessor's Parcel Number 424-081-078-000, 424-081-080-000, 424-081-077-000, western portion of Assessor's Parcel Number 424-081-083-000 on July 9, 2013. The permit was granted subject to 7 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: Prior to the recordation of the certificates of compliance or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

3. PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning Department

Condition/Mitigation The permit shall be granted for a time period of 2 years, to expire on July 9, 2015 unless use of the property or actual construction has begun within this period. (RMA-Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.

4. PD045 - COC (LOT LINE ADJUSTMENTS)

Responsible Department: Planning Department

Condition/Mitigation The applicant shall request unconditional certificates of compliance for the newly configured parcels.
Monitoring Measure: (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the expiration of the entitlement, the Owner/Applicant/Surveyor shall submit a map and 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 map and legal descriptions with a check, payable to the Monterey County Recorder, for the appropriate fees to record the certificates.

5. PD037 - WILLIAMSON ACT

Responsible Department: Planning Department

Condition/Mitigation The property owner shall enter into a new or amended Land Conservation contract or contracts with the Board of Supervisors of the County of Monterey for the Lot Line Adjustment of Williamson Act lands deemed necessary by the Office of the County Counsel. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel, the property owners of record shall execute a new or amended contract or contracts to be prepared by the Office of the County Counsel, which shall be recorded concurrent with the recordation of the Certificates of Compliance.

6. WR033 - FLOODPLAIN NOTICE - LL

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a recorded floodplain notice, for the newly aligned parcel "1", stating: "The property is located within or partially within a Special Flood Hazard Area and may be subject to building and/or land use restrictions." (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Submit a signed and notarized floodplain notice to the Water Resources Agency for review and approval.

A copy of the standard notice can be obtained at the Water Resources Agency or online at: www.mcwra.co.monterey.ca.us.

The notice shall be recorded concurrently with the certificates of compliance.

7. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of 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. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its 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 property, recordation of the certificates of compliance, 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)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recordation of the certificates of compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to RMA-Planning .