

# Attachment A

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# Draft Resolution

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

**Amaral/Gill (PLN160381)**

**Resolution No. -**

- Resolution of the Monterey County Board of Supervisors: )  
a. Finding that the project is a minor lot line adjustment )  
not resulting in the creation of any new parcel, which )  
qualifies as a Class 5 Categorical Exemption per )  
California Environmental Quality Act (CEQA) )  
Guidelines Section 15305(a), and there are no )  
exceptions pursuant to 15300.2; )  
b. Approving a Lot Line Adjustment of Williamson Act )  
lands between three (3) legal lots of record consisting )  
of one (1) 50.957 acre parcel (Parcel A, Assessor's )  
Parcel Number 139-101-024-000, under Farmland )  
Security Zone Contract No. 2005-007), one (1) )  
106.705 acre parcel (Parcel B, Assessor's Parcel )  
Number 139-101-024-000, Under Farmland Security )  
Zone Contract No. 2005-007); and one (1) 180.00 )  
acre parcel (Parcel C, Assessor's Parcel Number 139- )  
101-029-000, under Williamson Act Land )  
Conservation Contract No. 2012-025), resulting in )  
one (1) 83.45 acre parcel (Parcel 1), one (1) 97.712 )  
acre parcel (Parcel 2), and one (1) 156.5 acre parcel )  
(Parcel 3), respectively; and )  
c. Authorizing the Chair to execute a new or amended )  
Farmland Security Zone Contract or Contracts and/or )  
a new Land Conservation Contract or Contracts to )  
rescind a portion of an existing Agricultural Preserve )  
and Land Conservation Contract and simultaneously )  
transfer a total of 23.5 acres from Agricultural )  
Preserve No. 2012-025 to Farmland Security Zone )  
No. 2005-007 as applicable to the reconfigured lots )  
only; and )  
d. Directing the Clerk of the Board to record the new or )  
amended Farmland Security Zone and/or Land )  
Conservation Contract or Contracts subject to the )  
submittal of the appropriate recording fees from the )  
property owners of record.

(PLN160381/ George Amaral Trustee of the George Amaral Living Trust, dated November 10, 1993, David L. Gill and Susan Gill, Trustees of the David and Susan Gill Family Trust established 1-26-83, as amended and restated and Michael D. Cling, Trustee of the Hitchcock Children's Trust #1, dated 1-11-11, Toro and Greater Salinas Area Plans)

**RECITALS:**

**WHEREAS**, an application was submitted for a Lot Line Adjustment between three (3) legal lots of record involving Parcels A and B (Assessor's Parcel Number 139-101-024-000) owned by George Amaral Trustee of the George Amaral Living Trust, dated November 10, 1993, hereinafter called "Owner" and Parcel C (Assessor's Parcel Number 139-101-029-000) owned by David L. Gill and Susan Gill, Trustees of the David and Susan Gill Family Trust established 1-26-83, as amended and restated and Michael D. Cling, Trustee of the Hitchcock Children's Trust #1, dated 1-11-11, hereinafter called "Owner", respectively.

**WHEREAS, Parcels A and B** (APN 139-101-024-000) are owned by George Amaral Trustee of the George Amaral Living Trust, dated November 10, 1993, and

**WHEREAS, Parcel C** (APN 139-101-029-000) is owned by David L. Gill and Susan Gill, Trustees of the David and Susan Gill Family Trust established 1-26-83, as amended and restated and Michael D. Cling, Trustee of the Hitchcock Children's Trust #1, dated 1-11-11; and

**WHEREAS**, the legality of the three (3) subject parcels is based on a chain of deeds on file with the County Recorder and found in Planning File No. PLN160381 and incorporated herein by this reference; and

**WHEREAS**, Parcel A and Parcel B are subject to Farmland Security Zone Contract No. 2005-007), and will be reconfigured; and

**WHEREAS**, Parcel C is subject to Williamson Act Agricultural Preserve Land Conservation Contract No. 2012-025, and will be reconfigured; and

**WHEREAS**, the Lot Line Adjustment which will result in three (3) reconfigured separate lots totaling approximately 337.662 acres; and

**WHEREAS**, the Lot Line Adjustment will allow the continued use for commercial agricultural production which is consistent the applicable Williamson Act Contracts for the respective parcels, and Board approved compatible uses; 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 Toro Area Plan and Greater 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 current County Agricultural Preserve Policies or Procedures as evidenced below; and,

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

**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); and

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

**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, Toro Area Plan and Greater Salinas 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 Somavia Road, south of Harris Road, between Highway 101 and River Road, in unincorporated County of Monterey outside of the City of Salinas, (Assessors' Parcel Numbers 139-101-024-000, and 139-101-029-000), Toro Area Plan and Greater Salinas Area Plan. The current configuration consists of approximately 50.957 acres (part of APN 139-101-024, "Parcel A"), 106.705 acres (part of APN 139-101-024, "Parcel B"), and 180.00 acres (APN 139-101-024, "Parcel C"). The project will result in three (3) reconfigured lots consisting of 83.45 acres ("Parcel 1"), 97.712 acres ("Parcel 2") and 156.5 acres ("Parcel 3") respectively. The proposed Lot Line Adjustment would transfer a total of 23.5 acres from existing Parcel C (Gill/Hitchcock) to proposed Parcels 1 and 2 (Amaral) and would result in a newly configured 156.5 acre parcel (proposed Parcel 3). The Lot Line Adjustment would adjust the boundary of Parcel C, southerly, to incorporate an area that is currently inaccessible because of the Salinas River, to the contiguous Parcels A and B to incorporate into their farming operations. The parcels are zoned Farmlands/40-acre minimum (F/40), which allow for lot line adjustments. Therefore, the Lot Line Adjustment is consistent with the text, policies, and regulations in the above referenced documents and; therefore, is an allowed land use for this site.

(c) The Lot Line Adjustment application was not referred to the Agricultural Advisory Committee for review as no significant issues were identified by staff or the Agricultural Commissioner's Office. No conditions were recommended by the Agricultural Commissioner's Office.

(d) The application, plans, and related support materials found in Planning File No. PLN160381.

**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, Monterey County Regional Fire Protection District, RMA-Public Works, Parks Department, and Environmental Health Bureau. There has been no indication from these departments/agencies that the site is not suitable for the proposed Lot Line Adjustment. Conditions have been incorporated accordingly.

(b) The Environmental Health Bureau (EHB) reviewed the application and determined that the proposed Lot Line Adjustment would not impact any wells on the associated parcels.

(c) The application, plans, and related support materials found in Planning File No. PLN160381.

- (d) The Lot Line Adjustment would not result in any new developable parcels or an adjusted lot that is inconsistent with the general plan.

**3. FINDING: CONFORMANCE WITH SUBDIVISION ORDINANCE AND PARCEL LEGALITY DETERMINATION** - Pursuant to Section 19.09.025.B.1 of the Monterey County Subdivision Ordinance (Title 19), the Lot Line Adjustment is between two (2) or more existing adjacent lots.

- EVIDENCE:**
- (a) The subject Lot Line Adjustment is between three (3) existing adjacent lots.
  - (b) Parcel "A" containing approximately 50.957 acres, was recognized as a legal lot pursuant to Grant Deed from Elfrida Corey, aka Elfreda Corey, a widow, to Henry A. Holme, recorded at Book 703, Official Records, Page 120, dated January 15, 1937, recorded with the Monterey County Recorder on January 17, 1941.
  - (c) Parcel "B" containing approximately 106.705 acres, was recognized as a legal lot pursuant to Grant Deed from Elfrida Corey, aka Elfreda Corey, a widow, to Henry A. Holme, a married man, recorded at Book "562, Official Records, Page 283, dated March 9, 1936, recorded with the Monterey County Recorder on March 15, 1938.
  - (d) Lot "C" containing approximately 180.00 acres, was recognized as a legal lot pursuant to Grant Deed from Emma Frances Irvine, a widow, party of the first part, to J. Ramon Somavia, Jr., a single man, party of the second part, recorded at Book 143, Deeds, Page 131, dated February 27, 1928, recorded with the Monterey County Recorder on February 28, 1928.
  - (e) The application, plans, and related support materials can be found in Planning File No. PLN160381.

**4. FINDING: NO NEW LOTS CREATED** – Pursuant to the Monterey County Code (MCC) Section 19.09.025.B.2 (Title 19 – Subdivision Ordinance), a greater number of parcels or lots than originally existed will not be created as a result of the Lot Line Adjustment.

- EVIDENCE:**
- (a) The existing three (3) contiguous lots of record will be adjusted, resulting in three (3) lots. The proposed Lot Line Adjustment would not result in more developable parcels and would not compromise the long-term agricultural productivity of the other parcels. Furthermore, no farmland will be taken out of production.
  - (b) The application, plans, and related support materials found in Planning File No. PLN160381.

**5. FINDING: CONTIGUOUS LOTS OF RECORD** – Pursuant to MCC Section 19.09.025.B.3 (Title 19 – Subdivision Ordinance), the parcels resulting from the Lot Line Adjustment conform to the County Zoning and Building Ordinances and are contiguous parcels.

- EVIDENCE:**
- (a) The application and plans for a Lot Line Adjustment found in Planning File No. PLN160381.
  - (b) See evidence in Finding 1, above.

**6. FINDING: California Environmental Quality Act (CEQA)** – The project is categorically exempt from environmental review.

- EVIDENCE:**
- (a) Guidelines for CEQA, California Code of Regulations, Title 14, Chapter 3, Section 15305(a) categorically exempts minor Lot Line Adjustments, side

yard, and setback variances in areas with an average natural slope of less than 20% not resulting in the creation of any new parcel.

- (b) Section 15317 of the CEQA Guidelines categorically exempts the establishment of agricultural preserves, the making and renewing of Open Space Contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area.
- (c) Based on a review of the project plans, approval of the project would not result in any potentially adverse impacts. No additional development is proposed with this project.
- (d) See preceding findings and related evidence.

- 7. **FINDING: PUBLIC NOTICE** - Public notice of the pending Lot Line Adjustment was provided pursuant to MCC Section 19.01.055, (Title 19 - Subdivisions).  
**EVIDENCE:** Materials in Planning File No. PLN160381.
  
- 8. **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 (Title 21). No violations exist on the property.  
**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.
  
- 9. **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:** See preceding findings #1, #2, #3, #4 and #5 and supporting evidence.
  
- 10. **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 ten (10) years.  
**EVIDENCE:** (a) The proposed amendments to Agricultural Preserve Land Conservation Contract No. 2012-025, recorded as Document No. 2011070240, with the Monterey County Recorder on December 9, 2011; and Farmland Security Zone Contract No. 2005-007, recorded as Document No. 2004137729, with the Monterey County Recorder on December 29, 2004, which shall be applicable to the three (3) reconfigured lots will reflect the redistribution of 23.5 acres of land under Williamson Act Contract as illustrated in Table 1 (below).

Table 1. Redistribution of Acreage (approximate)

	EXISTING ACREAGE	PROPOSED ACREAGE	DIFFERENCE
	Parcel A – 50.957	Parcel 1 – 83.45	+32.493
	Parcel B – 106.705	Parcel 2 – 97.712	-8.993
	Parcel C – 180.00	Parcel 3 – 156.50	-23.50
<b>TOTAL</b>	337.662	337.662	0

(b) The terms of the original Land Conservation Contract and Farmland Security Contract renew annually on each succeeding January 1; the terms of the new or amended Contract or Contracts shall be automatically renewed on January 1 and one additional year shall be added automatically to the initial term unless notice of nonrenewal is given.

**11. 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 net loss of acreage currently under Contract. Land Conservation Contract No. 2012-025 and Farmland Security Zone Contract No. 2005-007 contain a total of 337.662 acres which will remain under Williamson Act Contract. Therefore, the Lot Line Adjustment would not result in a net decrease in the amount of the acreage restricted.

- (b) A condition of approval shall require that a surveyor prepare legal descriptions for each newly configured parcel and submit them to RMA-Planning for review and approval for recordation with the Monterey County Recorder’s office as attachments to the Certificates of Compliance for the reconfigured parcels.
- (c) The application, plans, and related support materials found in Planning File No. PLN160381.

**12. 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 or Contracts will continue to cover at least 90 percent of the subject lots under Agricultural Preserve Land Conservation Contract No. 2012-025 and Farmland Security Zone Contract No. 2005-007.

- (b) The application and plans for a Lot Line Adjustment found in Planning File No. PLN160381.

**13. 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 Lot Line Adjustment applicable to the three (3) reconfigured parcels shall reflect the redistribution of 23.5 acres of land under Williamson Act Land Conservation Contract and Farmland Security Zone Contract and will result in Parcel 1 at approximately 83.45 acres, Parcel 2 at approximately 97.712 acres, and Parcel 3 at approximately 156.50 acres.
- (b) Pursuant to California Government Code Section 51222 (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. 01-485 requires that agricultural preserves 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 all of the 337.662 acres in commercial agricultural production within both Agricultural Preserve and Land Conservation Contract No. 2012-025 and Farmland Security Zone Contact No. 2005-007.
- (d) The application plans, and related support materials found in Planning File No. PLN160381.

- 14. 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 transfer a total of 23.5 acres from existing Parcel C to existing Parcels A and B to increase the size of these two (2) parcels and reconfigure said parcels into resulting Parcel 1 (83.45 acres) and Parcel 2 (97.712 acres) and reduce Parcel C into resulting Parcel 3 (156.5 acres).
- (b) No new development is proposed for the sites, but will increase the use for grazing and farming and approved compatible uses.
- (c) The application plans, and related support materials found in Planning File No. PLN160381.

- 15. 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 Farmlands (“F”). 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. PLN160381.

**16. 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 three (3) reconfigured lots do not result in a greater number of developable parcels than existed prior to the adjustment. See Finding 4.  
(b) The application, plans, and related support materials found in Planning File No. PLN160381.

**NOW THEREFORE, BE IT RESOLVED** that based on the above findings and evidence, the Board of Supervisors does hereby:

- a. Find that the project is a minor lot line adjustment not resulting in the creation of any new parcel, which qualifies as a Class 5 Categorical Exemption per California Environmental Quality Act (CEQA) Guidelines Section 15305(a), and there are no exceptions pursuant to CEQA Guideline Section 15300.2;
- b. Approve a Lot Line Adjustment of Williamson Act lands between three (3) legal lots of record consisting of one (1) 50.957 acre parcel (Parcel A, Assessor's Parcel Number 139-101-024-000, under Farmland Security Zone Contract No. 2005-007), one (1) 106.705 acre parcel (Parcel B, Assessor's Parcel Number 139-101-024-000, under Farmland Security Zone Contract No. 2005-007); and one (1) 180.00 acre parcel (Parcel C, Assessor's Parcel Number 139-101-029-000, under Agricultural Preserve Land Conservation Contract No. 2012-025), resulting in one (1) 83.45 acre parcel (Parcel 1), one (1) 97.712 acre parcel (Parcel 2), and one (1) 156.5 acre parcel (Parcel 3), respectively subject to the attached conditions of approval and the attached tentative lot line adjustment map which are attached hereto and incorporated by this reference; and
- c. Authorize the Chair to execute a new or amended Farmland Security Zone Contract or Contracts and/or a new or amended Land Conservation Contract or Contracts to rescind a portion of an existing Agricultural Preserve and Land Conservation Contract and simultaneously transfer a total of 23.5 acres from Agricultural Preserve No. 2012-025 to Farmland Security Zone No. 2005-007 as applicable to the reconfigured lots only; and
- d. Direct the Clerk of the Board to record the new or amended Farmland Security Zone and/or Land Conservation Contract or Contracts subject to the submittal of the appropriate recording fees from the property owners of record.

PASSED AND ADOPTED this 5<sup>th</sup> day of December, 2017, upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, 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 \_\_\_\_\_

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_:

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90<sup>th</sup> day following the date on which this decision becomes final.

# Monterey County RMA Planning

## DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN160381

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** This Lot Line Adjustment (PLN160381) allows an adjustment between three lots of record of 106.705 acres (Assessor's Parcel Number 139-101-024-000), 50.957 acres (Assessor's Parcel Number 139-101-024-000), and 180.0 acres (Assessor's Parcel Number 139-101-029-000) resulting in three lots of 83.45 acres, 97.712 acres and 156.50 acres, respectively. The properties are located between Corey Road & Somavia Road, Chualar (Assessor's Parcel Numbers 139-101-024-000 & 139-101-029-000), Toro Area Plan and Greater Salinas Area Plan. This permit 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 RMA - Planning. 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)

**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:** RMA-Planning

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

"A Lot Line Adjustment (Resolution Number \*\*\*) was approved by the Board of Supervisors for Assessor's Parcel Number 139-101-024-000 & 131-101-029-000 on [Date the permit was approved]. The permit was granted subject to 5 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

## 3. PD045 - COC (LOT LINE ADJUSTMENTS)

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall request unconditional Certificates of Compliance for the newly configured parcels. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the expiration of the entitlement, the Owner/Applicant/Surveyor shall prepare legal descriptions for each newly configured parcel and submit them to RMA-Planning for review and approval. 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 of Compliance.

Prior to the expiration of the entitlement and after the Certificates are recorded, the Owner/Applicant shall file a request and pay the fees for separate assessments or combination assessments (for lot mergers) with the Assessor's Office.

## 4. PD037 - WILLIAMSON ACT

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The property owner shall enter into a new or amended Farmland Security Zone and/or Agricultural Preserve 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 after the recordation of the Certificates of Compliance and subject to the submittal of the appropriate recording fees by the property owners of record.

## 5. CC01 INDEMNIFICATION AGREEMENT

**Responsible Department:** County Counsel

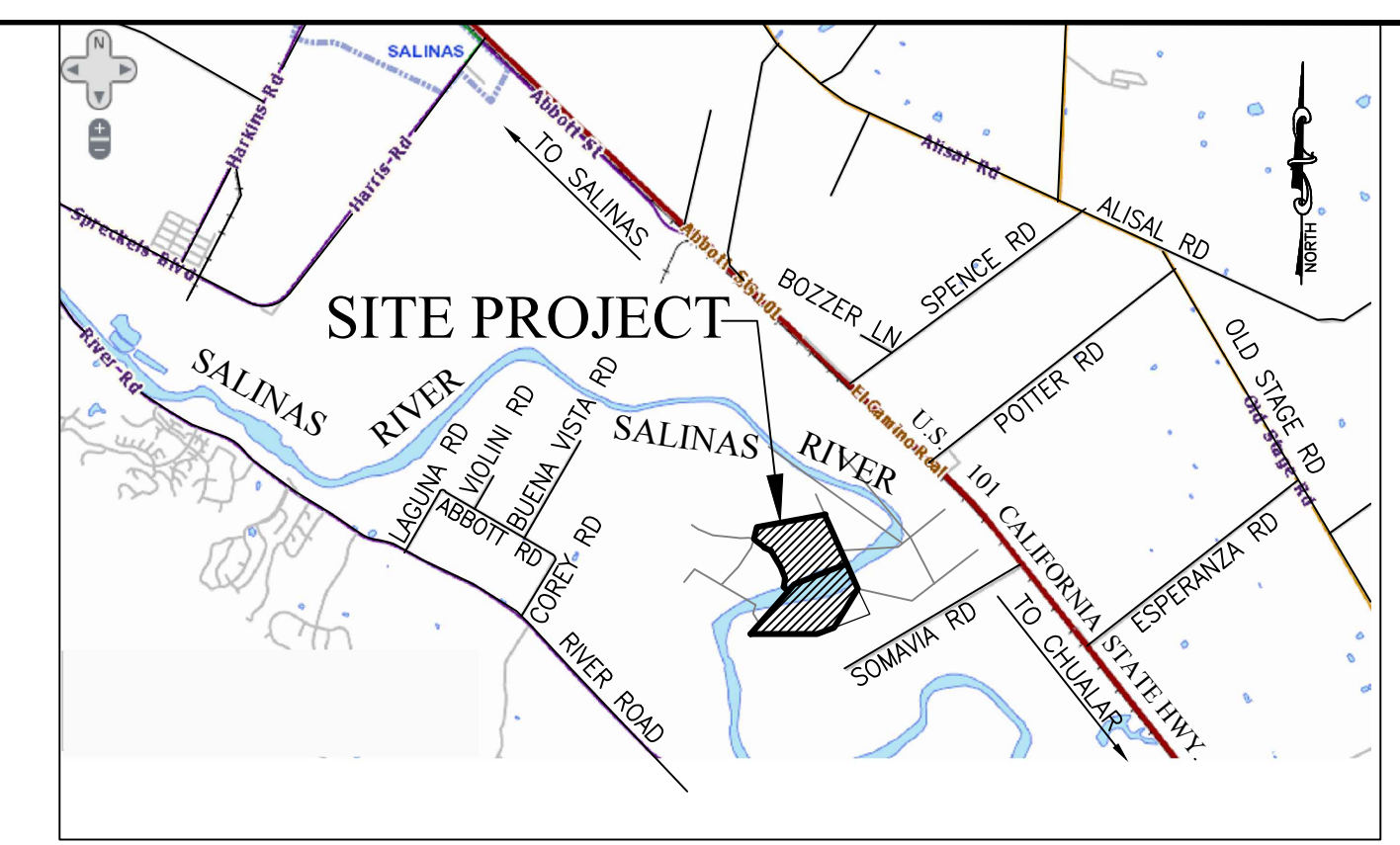
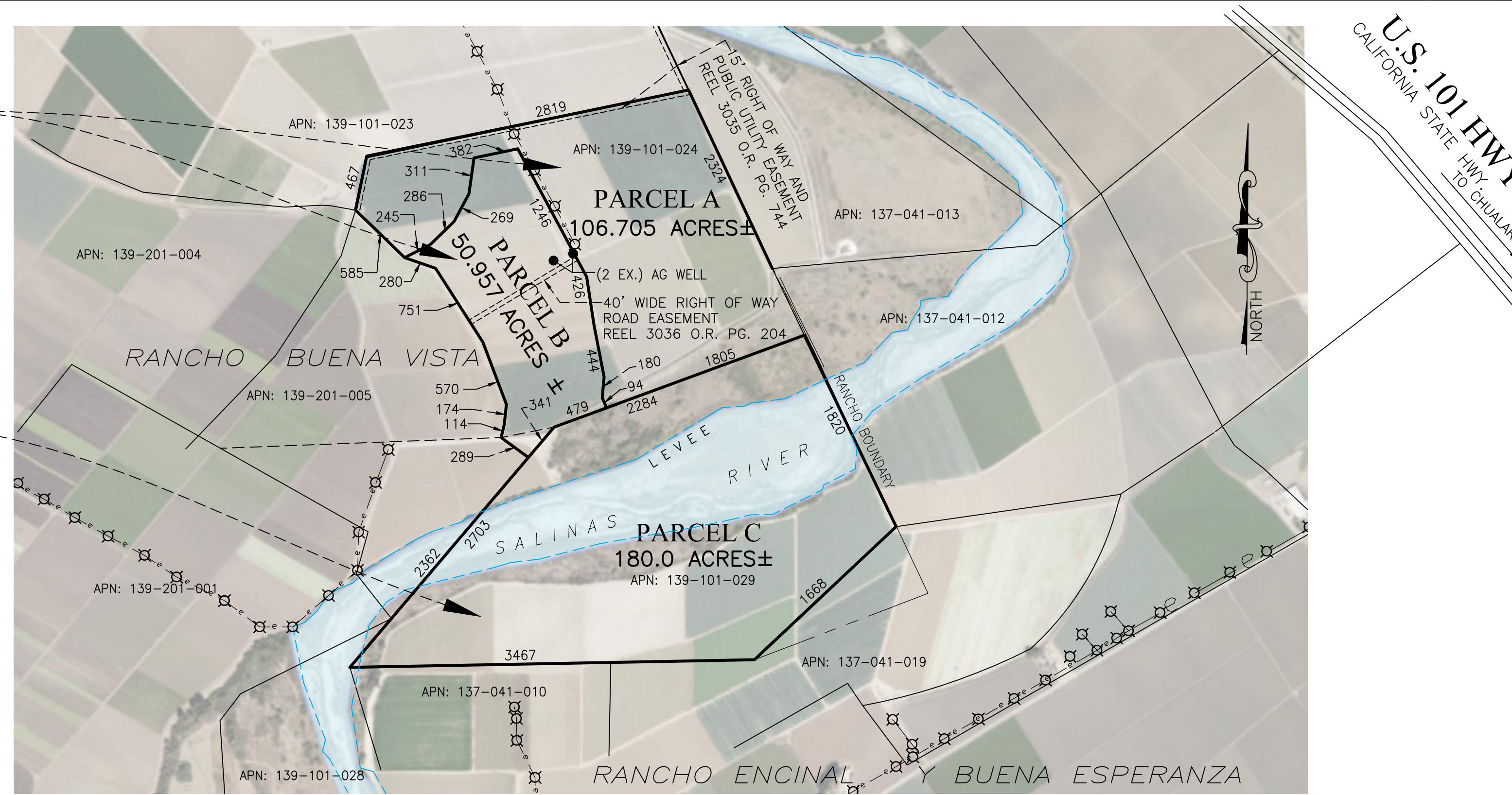
**Condition/Mitigation Monitoring Measure:** The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, 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, filing of the final map, 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. (County Counsel)

**Compliance or Monitoring Action to be Performed:** Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the County Counsel for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel.

FARMLAND SECURITY ZONE  
 CONTRACT No. 2005-007  
 DOC. No. 2004137729  
 12/29/2004  
 APN: 139-101-024  
 GEORGE AMARAL

LAND CONSERVATION  
 CONTRACT No. 2012-025  
 DOC. No. 2011070239  
 12/09/2011  
 APN: 139-101-029  
 DAVID L. GILL, ET AL



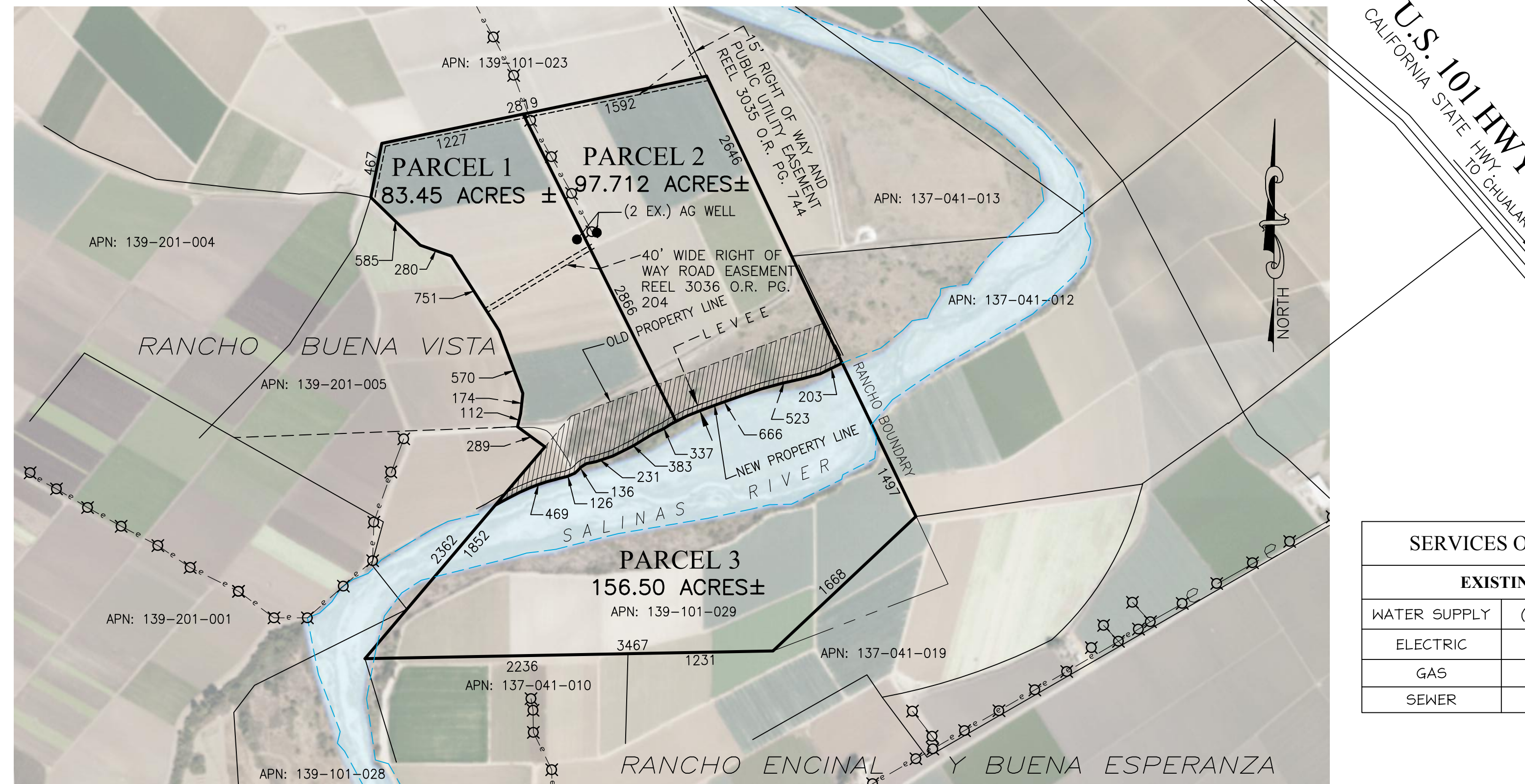
VICINITY MAP  
 SCALE: 1" = 8000'

RECAPITULATION OF AREAS:		
EXISTING:	PROPOSED:	(EX.) AND PROPOSED LAND USE DESIGNATION
PARCEL "A" = 50.957 AC. ±	PARCEL 1 = 83.45 AC. ±	FARM LAND
PARCEL "B" = 106.705 AC. ±	PARCEL 2 = 97.712 AC. ±	FARM LAND
PARCEL "C" = 180.00 AC. ±	PARCEL 3 = 156.5 AC. ±	FARM LAND
<b>TOTAL 337.662 AC. ±</b>	<b>TOTAL 337.662 AC. ±</b>	

DOCUMENT REFERENCES:			
EXISTING	ASSESSOR'S PARCEL No.	LEGAL LOTS	FARMLAND SECURITY ZONE
PARCEL "A"	APN: 139-101-024	BOOK 703 -O.R.- PG. 120 DATED: JANUARY 15, 1937 RECORDED: JANUARY 17, 1941	GEORGE AMARAL CONTRACT No. 2005-007 DOC. 2004137729 12/29/2004
PARCEL "B"		BOOK 562 -O.R.- PG. 283 DATED: MARCH 9, 1936 RECORDED: MARCH 15, 1938	
PARCEL "C"	APN: 139-101-029	BOOK 143 -DEEDS- PG. 131 DATED: FEB. 27, 1928 RECORDED: FEB. 28, 1928	DAVID AND SUSAN GILL FAMILY TRUST AND HITCHCOCK CHILDREN'S TRUST

**EXISTING PARCELS**

SCALE: 1"=800'



**PROJECT INFORMATION:**

PROJECT DESCRIPTION:  
 ADJUSTING BOUNDARIES FOR 3 EXISTING LEGAL LOTS TO INCORPORATE THE INTEGRITY OF THE FARMABLE GROUND DIVIDED BY RIVER.

PROJECT ADDRESS:  
 BETWEEN BUENA VISTA ROAD AND SOMAVIA ROAD  
 GONZALES, CA 95926

ZONING: F/40 AND F/40-D  
 EXISTING USE: FARM LAND  
 PROPOSED USE: FARM LAND  
 TREE REMOVAL: N/A

LEGEND:  
 (-----) INDICATES RECORD DATA  
 —•— INDICATES ELECTRICAL LINE  
 [Hatched Box] INDICATES ADJUSTED AREA= 23.5 ACRES (INCLUDING LEVEE)

DOCUMENT REFERENCES:		
EXISTING	ASSESSOR'S PARCEL No.	OWNERSHIP
PARCEL "A"	APN: 139-101-024	GEORGE AMARAL DOC. No. 2003140226, 11/14/2003 PARCEL I
PARCEL "B"		GEORGE AMARAL DOC. No. 2003140226, 11/14/2003 PARCEL II
PARCEL "C"	APN: 139-101-029	DAVID GILL AND SUSAN GILL, TRUSTEES OF THE DAVID AND SUSAN GILL FAMILY TRUST ESTABLISHED 1-26-1983 AS TO AN UNDIVIDED 50% INTEREST, AND MICHAEL D. CLING, TRUSTEE OF THE HITCHCOCK CHILDREN'S TRUST #1 AS TO AN UNDIVIDED 50% INTEREST. DOC. No. 201066140, 11/18/2011 PARCEL II

SERVICES ON SITE	
EXISTING	
WATER SUPPLY	(2) AG WELL
ELECTRIC	PG&E
GAS	N/A
SEWER	N/A

**TENTATIVE  
 LOT LINE  
 ADJUSTMENT**

APN 139-101-024 & APN 139-101-029

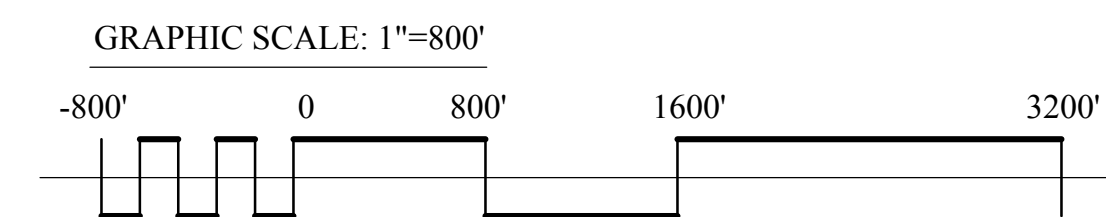
SHOWING THE ADJUSTMENT BETWEEN THREE EXISTING LEGAL LOTS OF RECORD, BEING THE FIRST AS PARCEL I, THE SECOND AS PARCEL II, PER DOCUMENT 2003140226, RECORDED NOVEMBER 14, 2003, AND THE THIRD, AS PARCEL II, PER DOCUMENT 201066140, RECORDED NOVEMBER 18, 2011. SITUATED IN RANCHO BUENA VISTA, MONTEREY COUNTY, STATE OF CALIFORNIA

PREPARED FOR:  
 GEORGE AMARAL  
 P.O. BOX 3035  
 GONZALES, CA 95926  
 PHONE: (831) 679-2977

PREPARED BY:  
 SALINAS VALLEY SURVEYORS, INC.  
 PHILIP PEARMAN L.S. 4448 EXPIRES 9/30/17  
 210 CAPITOL ST., SUITE No.15 PH: (831) 753-2234  
 SALINAS, CALIFORNIA 93901 E-MAIL: svsurveyor@att.net

**PROPOSED PARCELS**

SCALE: 1"=800'



**FLOOD PLAIN NOTE:**

PART OF THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE A, AND 100-YEAR FLOODPLAIN, AS SHOWN ON FEMA FLOOD INSURANCE MAP 06053C0380G, AND MAP 06053C0400G, EFFECTIVE DATE APRIL 2, 2009.

**NOTES:**

1. ALL DISTANCES SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMALS THEREOF.

**SURVEYOR'S STATEMENT:**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AT THE REQUEST OF GEORGE AMARAL IN AUGUST, 2016.

PHILIP L. PEARMAN L.S. 4448  
 LICENSE EXPIRES 9/30/17

SCALE: 1"=800' DATE: 9/12/2016  
 JOB No. 20161005 REVISED DATE: SHEET ONE OF ONE  
 OCT/28/2017

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