

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

- a. Accept an Irrevocable Offer to Dedicate a Vertical)
Public Access Easement, Recorded Instrument No.)
40659, at Reel 2530 Pages 422-444, recorded on July)
10, 1990 and executed by the State of California)
through its Director of General Services and the)
California Coastal Conservancy;)
- b. Authorize the Chair of the Board of Supervisors to)
sign the Certificate of Acceptance; and)
- c. Direct the Clerk of the Board to submit the signed)
Certificate of Acceptance to the County Recorder for)
filing/recordation. (REF110014/State of California)...)

Upon motion of Supervisor Potter, seconded by Supervisor Armenta, and carried by those members present, the Board hereby;

- a. Accepted an Irrevocable Offer to Dedicate a Vertical Public Access Easement, Recorded Instrument No. 40659, at Reel 2530 Pages 422-444, recorded on July 10, 1990 and executed by the State of California through its Director of General Services and the California Coastal Conservancy;
- b. Authorized the Chair of the Board of Supervisors to sign the Certificate of Acceptance; and
- c. Directed the Clerk of the Board to submit the signed Certificate of Acceptance to the County Recorder for filing/recordation.

PASSED AND ADOPTED on this 24th day of May, 2011, 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 75 for the meeting on May 24, 2011.

Dated: May 26, 2011

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

By Chit A. Maul
Deputy

RECORDED AT REQUEST OF

Recording Requested by and Permit Number:
Permit No. PC-6365
Applicant Name: State of California

COUNTY OF MONTEREY

JUL 10 3 12 PM '90

Project Planner: _____

NO FEE

OFFICE OF RECORDER
COUNTY OF MONTEREY
SALINAS, CALIFORNIA

When Recorded, Mail To:
Monterey County Planning Department
P.O. Box 1208
Salinas, CA 93906

40659

IRREVOCABLE OFFER TO DEDICATE PUBLIC ACCESS EASEMENTS

AND

DECLARATION OF RESTRICTIONS

THIS IRREVOCABLE OFFER TO DEDICATE PUBLIC ACCESS EASEMENT AND
DECLARATION OF RESTRICTIONS (hereinafter "offer") is made this 16th day
of May, 1990, by The State of California, acting by and
through its Director of General Services and the California State Coastal
Conservancy, (hereinafter referred to as "Grantor").

I. WHEREAS, Grantor is the legal owner of a fee interest of certain
real properties located in the County of Monterey, State of California,
and described in the attached "Exhibit A" (hereinafter referred to as the
"Property"); and

II. WHEREAS, all of the Property is located within the coastal zone
as defined in Section 30103 of the California Public Resources Code
(which code is hereinafter referred to as the "Public Resources Code");
and

III. WHEREAS, the California Coastal Act of 1976, (hereinafter
referred to as the "Act") creates the California Coastal Commission,
(hereinafter referred to as the "Commission") and requires that any
coastal development permit approved by the Commission or local government
as defined in Public Resources Code Section 30109 must be consistent with

the policies of the Act set forth in Chapter 3 of Division 20 of the Public Resources Code; and

IV. WHEREAS, Pursuant to the Act, Grantor applied to Monterey County for a permit to undertake development as defined in the Act within the coastal zone of Monterey County (hereinafter the "Permit"); and

V. WHEREAS, a coastal development permit (Permit No. PC-6365) was granted on May 11, 1988, by the Planning Commission in accordance with the provision of the Findings, contained in Resolution No. 88-140, attached hereto as "Exhibit B," and hereby incorporated by reference, subject to the following condition:

"That the applicant record an irrevocable offer to dedicate an easement for vertical public access. The form and content of the easement must be approved pursuant to Section 20.142.130 and utilize Appendix 6 of the Monterey County Coastal Implementation Plan. The offer to dedicate must be recorded prior to the transfer of the first development credit (TDC) to a receiver site designated through the coastal development permit process, or prior to the expiration of this coastal development permit whichever comes first. Such easement encompassed by the offer to dedicate shall be ten feet wide and shall extend 1) from the edge of the Cal Trans right-of-way at the southern end of the existing pull-out, extending west across the property generally along the alignment of the existing foot trail, to the seaward extremity of the parcel; 2) from a point at the eastern edge of the afore-mentioned trail, extending along the eastern edge of the property, to provide access from the trail to Abalone Cove beach area below the Cal Trans overlook; and 3) from a point at the eastern edge of the afore-mentioned trail, extending along the bluff at the southern edge of the property to provide access to scenic overlook at the seaward extremity of the parcel. ... The document shall provide that, prior to opening or improvement of the trail for public access, a qualified archeologist (i.e. member of the Society of Professional Archaeologists) shall be retained to determine: 1) the exact area extent of the on-site archaeological deposits; 2) the archaeological significance of the deposits; and 3) necessary measures to mitigate any identified adverse impacts to the archaeological resources due to public access. The offer shall be recorded free of prior liens which the County of Monterey determines may affect the interest being conveyed, and free of any other encumbrances which may affect said interest."

VI. WHEREAS, the subject property is a parcel located between the

first public road and the shoreline; and

VII. WHEREAS, under the policies of Sections 30210 through 30212 of the California Coastal Act of 1976, public access to the shoreline and along the coast is to be maximized, and in all new development projects located between the first public road and the shoreline shall be provided; and

VIII. WHEREAS, Monterey County found that but for the imposition of the above condition, the proposed development could not be found consistent with the public access policies of Section 30210 through 30212 of the California Coastal Act of 1976 and the Local Coastal Program as defined in Public Resources Code Section 30108.6 and that therefore in the absence of such a condition, a permit could not have been granted;

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

NOW, THEREFORE, in consideration of the granting of Permit No. PC-6365 to Grantor by Monterey County, the Grantor hereby offer(s) to dedicate to the County of Monterey and/or a public agency or non-profit organization acceptable to the Monterey County Board of Supervisors an easement in perpetuity for the purposes of vertical public access located on the subject property ten feet in width and extending: 1) from the edge of the Cal Trans right-of-way at the southern end of the existing pull-out, extending west across the property generally along the alignment of the existing foot trail, to the seaward extremity of the

parcel; 2) from a point at the eastern edge of the afore-mentioned trail, extending along the eastern edge of the property, to provide access from the trail to Abalone Cove beach area below the Cal Trans overlook; 3) from a point at the eastern edge of the afore-mentioned trail, extending along the bluff at the southern edge of the property to provide access to scenic overlook at the seaward extremity of the parcel; and 4) as specifically set forth by attached "Exhibit C" hereby incorporated by reference. Dedicated accessway shall not be required to be opened to public use until the People of Monterey County and/or a public agency or private non-profit association acceptable to the Monterey County Board of Supervisors (referred to herein as "Grantee") agrees to accept responsibility for maintenance and liability of the accessway. Prior to the opening or improvement of the trail for public access, a qualified archeologist (i.e. member of the Society of Professional Archaeologists) shall be retained to determine: 1) the exact area extent of the on-site archaeological deposits; 2) the archaeological significance of the deposits; and 3) necessary measures to mitigate any identified adverse impacts to the archaeological resources due to public access.

1. BENEFIT AND BURDEN. This Offer 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 successors and assigns. This Offer shall benefit the people of the State of California.

2. DECLARATION OF RESTRICTIONS. This Offer of dedication shall

not be used or construed to allow anyone, prior to acceptance of the offer, to interfere with any rights of public access acquired through use which may exist on the Property.

3. ADDITIONAL TERMS, CONDITIONS, AND LIMITATIONS. Prior to the opening of the accessway, the Grantee, in consultation with and upon the approval of, the Grantor, may record additional reasonable terms, conditions, and limitations on the use of the subject property in order to assure that this Offer for public access is effectuated.

4. CONSTRUCTION OF VALIDITY. If any provision of these restrictions is held to be invalid or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.

5. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions, obligations, and reservations contained in this Offer 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.

6. TERM. This irrevocable offer of dedication shall be binding for a period of 21 years starting from the date of recordation. Upon recordation of an acceptance of this Offer by the Grantee, this Offer and terms, conditions, and restrictions shall have the effect of a grant of access easement in gross and perpetuity that shall run with the land and be binding on the parties, heirs, assigns, and successors. The County of Monterey, in whose jurisdiction the subject property lies, or a public agency or a private non-profit association acceptable to the Board of Supervisors of Monterey County may accept this offer.

7. LIABILITY. This Offer to Dedicate is made upon the express condition that, upon acceptance of this Offer by the Grantee, the

Grantor, 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 Grantee, or property of any kind whatsoever and to whomsoever belonging, including Grantee, from any cause or causes whatsoever, except matters arising out of the sole negligence of the Grantor, while in, upon, or in any way connected with the use of this public access easement, Grantee hereby covenanting and agreeing to hold harmless the Grantor, 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.

Acceptance of the Offer is subject to a covenant which runs with the land, providing that any Grantee to accept the easement may not abandon it but must instead offer the easement to other public agencies or private non-profit associations acceptable to the Board of Supervisors of Monterey County for the duration of the term of the original Offer to Dedicate.

Executed on this 16th day of May, 1990, at Sacramento, California.

OFFICE OF REAL ESTATE AND DESIGN SERVICES

Signed *Phillip J. Salamy*
PHILLIP J. SALAMY, Ass't Chief Director
California Department of
General Services

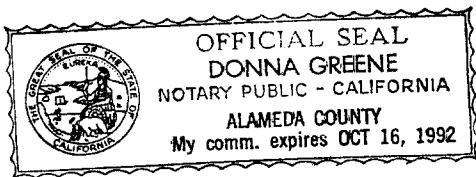
Signed *Peter Grenell*
Peter Grenell
Executive Officer
State Coastal Conservancy

State of California)
County of Alameda) ss.

CERTIFICATE OF ACKNOWLEDGEMENT

On this 16th day of May, 1990, before me, Donna Greene, Notary Public, State of California, personally appeared Peter Grenell, personally known to me to be the person who executed this instrument as the Executive Officer of the State Coastal Conservancy and acknowledged to me that said agency executed it.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal in the City of Oakland, County of Alameda, on the date set forth above in this certificate.



Donna Greene
Notary Public, State of California

STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

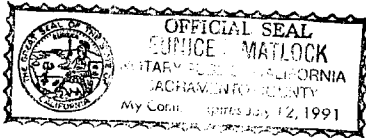
ss.

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On this 16th day of MAY, 1990, before me, the undersigned, a Notary Public in and for the State of California, personally appeared PHILLIP J. SALAMY

personally known to be or proved to me on the basis of satisfactory evidence to be the person who executed this instrument as Assistant Chief of the Office of Real Estate and Design Services, Department of General Services of the State of California, and acknowledged to me that the State of California executed it.

WITNESS my hand and official seal.



Eunice I. Matlock
EUNICE I. MATLOCK
NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA

ACKNOWLEDGEMENT

State of California)
County of Alameda) ss.

On this ___ day of ___, 1990, before me, Donna Greene, Notary Public, State of California, personally appeared Ronald W. Kukulka, personally known to me to be the person who executed this instrument as the Deputy Executive Officer of the State Coastal Conservancy, and acknowledged to me that said agency executed it.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal in the City of Oakland, County of Alameda, on the date set forth above in this certificate.

Notary Public, State of California

My commission expires _____.

This is to certify that the (offer) (deed restriction) set forth above is hereby acknowledged by the Director of the Monterey County Planning Department pursuant to the action of the MONTEREY COUNTY PLANNING COMMISSION on 5/11/88 and that Monterey County consents to its recordation thereof.

Dated: 6/22/90

Robert Slimmon, Jr.
Robert Slimmon, Jr.
Director of Planning

ACKNOWLEDGEMENT

State of California)
County of Monterey)SS

On June 22, 1990, before me Donna Main the undersigned Notary Public, personally appeared Robert Slimmon, Jr., known to me to be the Director of the Monterey County Planning Department, who executed the within instrument and acknowledged to me that he executed the same.

WITNESS my hand and official seal.
Donna Main
Notary Public

My Commission expires 1/28/94

Document Content/Form Acceptable:

[Signature]

County Counsel

Kellie D. Morgantini
Planner III
Planning Department

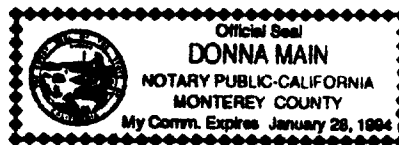


EXHIBIT A



161153
DESCRIPTION
Page 1

DESCRIPTION

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PARCEL I:

Parcel C, as said Parcel is designated on that certain survey map, filed for record October 18, 1961 in Volume X-2 of Surveys at page 223, Records of Monterey County, California.

PARCEL II:

A non-exclusive right of way for road and utility purposes over the following described Parcel:

BEGINNING at the Southeasterly corner of that certain Parcel designated "B", as shown on the map referred to in Parcel I above; and running thence along the boundary of said Parcel B

- (1) N. 36° 44' 23" W., 58.08 feet; thence non-tangentially
- (2) 123.05 feet along the arc of a curve concave to the Southwest having a radius of 150 feet through a central angle of 47° 00' (long chord bears N. 59° 56' W., 119.62 feet); thence leaving said boundary of Parcel B, non-tangentially
- (3) S. 6° 34' W., 50.00 feet to a point on the Southerly line of Parcel "A" of said map; thence along said line non-tangentially
- (4) 82.03 feet along the arc of a curve concave to the Southwest having a radius of 100 feet through angle of 47° 00' (long chord bears S. 59° 56' E., 79.75 feet); thence leaving said line non-tangentially
- (5) S. 31° 06' 15" E., 83.97 feet; thence
- (6) S. 64° 26' E., 40.07 feet to a point on the Westerly line of State Highway 1; thence non-tangentially
- (7) Northerly along said Westerly line of State Highway 1, 71.87 feet along a curve concave to the East having a radius of 540 feet through a central angle of 7° 37' 31" to the point of beginning

PARCEL III:

A non-exclusive right of way for road and utility purposes over the following described Parcel:

BEGINNING at the most Southerly corner of Parcel I above described; and running thence

EXHIBIT A



Page 2 of 2

161153

DESCRIPTION

Page 2

- (1) Along the Southerly line of Parcel I, 145.45 feet along the arc of a curve concave to the Southwest having a radius of 200 feet through a central angle of $41^{\circ} 40' 28''$ (Long chord bears N. $62^{\circ} 35' 46''$ W., 142.29 feet); thence leaving said Southerly line of Parcel I
- (2) S. $6^{\circ} 34'$ W., 50.00 feet; to the Southerly line of Parcel "B" as shown on said map; thence along said line
- (3) 123.05 feet along the Southerly line of Parcel B on the arc of a curve concave to the Southwest having a radius of 150 feet through a central angle of $47^{\circ} 00'$ (long chord bears S. $59^{\circ} 56'$ E., 119.62 feet); thence non-tangentially
- (4) S. $36^{\circ} 44' 23''$ E., 58.08 feet to a point on the Westerly line of State Highway 1; thence along said Westerly line of State Highway 1
- (5) N. $3^{\circ} 55' 58''$ W., 90.87 feet to the point of beginning.

EXCEPTING FROM PARCEL I above all coal, and minerals as reserved in the deed from Carmelo Land & Coal Company, a corporation, to John Sozier, dated February 25, 1891 and recorded March 10, 1891 in Volume 31 of Deeds at page 427, Monterey County Records.

A.P. NO. 243-251-14

RESOLUTION NO. 88-140

A. P. # 243-251-14

FINDINGS AND DECISION

In the matter of the application of California Coastal Conservancy (PC-6365) for a Coastal Development Permit in accordance with Title 20.1 (Monterey County Coastal Implementation Plan Ordinances) Chapter 20.140 (Coastal Development Permits) of the Monterey County Code, to allow designation of a donor site for transfer of development credits, located on Parcel C, portion of Lot 20, Rancho San Jose Y Sur Chiquito, Garapatos area, fronting on and westerly of State Highway 1, Coastal Zone, came on regularly for hearing before the Planning Commission on May 11, 1988.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. FINDING: The Coastal Conservancy project (PC-6365) consists of a Coastal Development Permit to designate the Kasler Point parcel (APN 243-251-14) as a "donor site" pursuant to Coastal Implementation Plan Section 20.156, thereby creating two transferable development credits and retiring the donor site as a buildable parcel. The parcel is located west of and fronting on Highway 1 at Abalone Cove, north of Kasler Point in Big Sur. The project is appealable to the California Coastal Commission.
EVIDENCE: The project is described in the application and accompanying map contained in file number PC-6365.
2. FINDING: The Coastal Conservancy parcel is located entirely within the critical viewshed and is thus rendered unbuildable.
EVIDENCE: Staff made an on-site field inspection and determined that the entire parcel is visible from Highway 1 and is thus within the critical viewshed pursuant to Section 20.145.020.V of the Coastal Implementation Plan. Section 20.145.030 (Intent of Section) prohibits development within the critical viewshed; thus, the Kasler Point parcel is rendered unbuildable.
3. FINDING: The Coastal Conservancy parcel is appropriate for designation as a donor site pursuant to Coastal Implementation Plan Section 20.156, as it is: 1) a buildable parcel; and 2) a viewshed lot.
EVIDENCE: The parcel has been determined to be buildable. Adequacy of water and sewer has been verified by the Health Department. As well, a geologic report prepared by Earth Systems Consultants (August 1987) indicated that the "site can be easily developed for a single family residential structure". Finally an archaeological report by Archaeological Consulting (July, 1987) identified two archaeological sites but did not indicate that the sites would render the parcel unbuildable. Rather, further survey work and mitigations would be required in the advent of development on the parcel.

The parcel has been determined to be a viewshed lot, as detailed in the second finding (see above).

4. FINDING: The project will not have adverse impacts on visual resources.
EVIDENCE: The result of the project will be to retire the subject lot as a building site by placing the entire lot into scenic easement, pursuant to Coastal Implementation Plan Section 20.156.040.5. No development will occur on the parcel other than what may be necessary for public access. Development credits will later be transferred to a non-viewshed parcel through the Coastal Development Permit process.
5. FINDING: The project will not pose and/or experience significant adverse impacts from geologic, seismic, or fire hazards.
EVIDENCE: The site will be retired as a building site; thus, no impacts will be posed by seismic, geologic, or fire hazards. Conditions requiring deed restrictions regarding geologic and fire hazards, pursuant to Sections 20.145.080.A.2 and Section 20.145.080.C.1, are not required as the property is in public ownership.
6. FINDING: The project will not adversely impact archaeological resources.
EVIDENCE: The site is located in a "high archaeological sensitivity" zone according to County resource maps. An archaeological survey by Archaeological Consulting (July, 1987) identified two archaeological sites and recommended that the sites be surveyed prior to any proposed development. As a result of the project, the parcel will be retired as a buildable lot. No physical development will thus take place; consequently, the archaeological sites will not be impacted.

At a later date public access may be provided on the parcel subject to obtaining a Coastal Development Permit. Provision of public access has potential to impact the archaeological sites. In order to assure that there are no significant impacts, a condition of approval requires that the sites be surveyed and mitigations implemented pursuant to Archaeological Consulting's recommendation.

Coastal Implementation Plan Section 20.145.120.D.2 provides mitigations which have been incorporated into the conditions of approval. As such, rezoning to include an "HR" (Historical Resources) district is required. Also the archaeological sites are to be placed in an easement as part of the required scenic easement. A condition to record a notice regarding the archaeological report, pursuant to Section 20.140/080.L.10, is not required as the parcel is in public ownership.

7. FINDING: The project conforms to the public access requirements of the Coastal Implementation Plan.
EVIDENCE: The parcel was analyzed according to the public access requirements of the Coastal Implementation Plan. Staff determined that public access, in

the form of an easement or an offer to dedicate, is required pursuant to Section 20.145.150.D.1.a and D.1.b. Prescriptive rights appear to exist over the parcel as there are trails currently reversing the parcel and the public was observed on the property. Public access is required where prescriptive rights are identified, according to the Coastal Act and Implementation Plan. As well, public access is required for bluff top access and for access to Abalone Cove.

8. FINDING: The project is consistent with the Big Sur Coast Land Use Plan, Coastal Implementation Plan, and California Coastal Act.
EVIDENCE: The project is consistent with all applicable policies of the Big Sur Coast Land Use Plan and with development regulations of the Coastal Implementation Plan, as detailed in the above findings.
9. FINDING: The project will not have significant adverse impacts on the environment.
EVIDENCE: As a result of the project, the parcel will be retired as a building site. Consequently, the Initial Study prepared for the project did not identify any significant environmental impacts and a Negative Declaration was filed on March 31, 1988.
10. FINDING: The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.
EVIDENCE: This is evidenced by the above findings and supporting evidence.

Decision

THEREFORE, it is the decision of said Planning Commission that said application for a Coastal Development Permit be granted as shown on the attached sketch, subject to the following conditions:

1. That the applicant record a scenic easement, as dedicated to the County of Monterey, over the entire parcel. The form and content of the easement must be approved pursuant to Section 20.142.130 and utilize Appendix 10 of the Monterey County Coastal Implementation Plan. The easement must be recorded prior to the transfer of the first development credit (TDC) to a receiver site designated through the coastal development permit process or prior to the expiration of this coastal development permit, whichever occurs first. The easement shall provide that no structures will be placed or erected nor shall the grantor plant nor permit to be planted any vegetation upon said premises, except as may be permitted through a coastal development permit for the purposes of public access occurring within an overlying public access easement.
2. That the applicant request a rezoning of the parcel to a "WSC/40/HR (CZ)" (Watershed and Scenic Conservation; Historical or Archaeological Resources) zoning district, prior to the transfer of the first development credit (TDC) to a designated receiver site or prior to the expiration this coastal development permit, whichever occurs first.

California Coastal Conservancy (PC-6365)
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(A Big Sur Coast Land Use Plan or Coastal Implementation Plan amendment will not be required for the reclassification.)

3. That the applicant record an irrevocable offer to dedicate an easement for vertical public access. The form and content of the easement must be approved pursuant to Section 20.142.130 and utilize Appendix 6 of the Monterey County Coastal Implementation Plan. The offer to dedicate must be recorded prior to the transfer of the first development credit (TDC) to a receiver site designated through the coastal development permit process, or prior to the expiration of this coastal development permit whichever occurs first. Such easement encompassed by the offer to dedicate shall be ten feet wide and shall extend: 1) from the edge of the Caltrans right-of-way at the southern end of the existing pull-out, extending west across the property generally along the alignment of the existing foot trail, to the seaward extremity of the parcel; 2) from a point at the eastern edge of the afore-mentioned trail, extending along the eastern edge of the property, to provide access from the trail to the Abalone Cove beach area below the Caltrans overlook; and, 3) from a point at the eastern edge of the afore-mentioned trail, extending along the bluff at the southern edge of the property to provide access to scenic overlook at the seaward extremity of the parcel. (See Exhibit C for general location.) The document shall provide that, prior to opening or improvement of the trail for public access, a qualified archaeologist (i.e. member of the Society of Professional Archaeologists) shall be retained to determine: 1) the exact area extent of the on-site archaeological deposits; 2) the archaeological significance of the deposits; and; 3) necessary measures to mitigate any identified adverse impacts to the archaeological resources due to public access. The offer shall be recorded free of prior liens which the County of Monterey determines may affect the interest being conveyed, and free of any other encumbrances which may affect said interest.
4. Prior to transferring the development credits, obtain a Coastal Development Permit to create a receiver site for the transfer development credits created by this permit (PC-6365).
5. That permit shall expire on May 11, 1990, unless the conditions of this permit approval have been met with this time period.

PASSED AND ADOPTED this 11th day of May, 1988, by the following vote:

AYES:	Calcagno, Evans, Glau, Jimenez, Moore, Orrett, Riddle, Stallard
NOES:	Reaves
ABSENT:	None


ROBERT SLIMMON, JR.
SECRETARY OF THE PLANNING COMMISSION

Copy of this decision mailed to applicant on June 3, 1988.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE JUNE 13, 1988.

STATE COASTAL CONSERVANCY

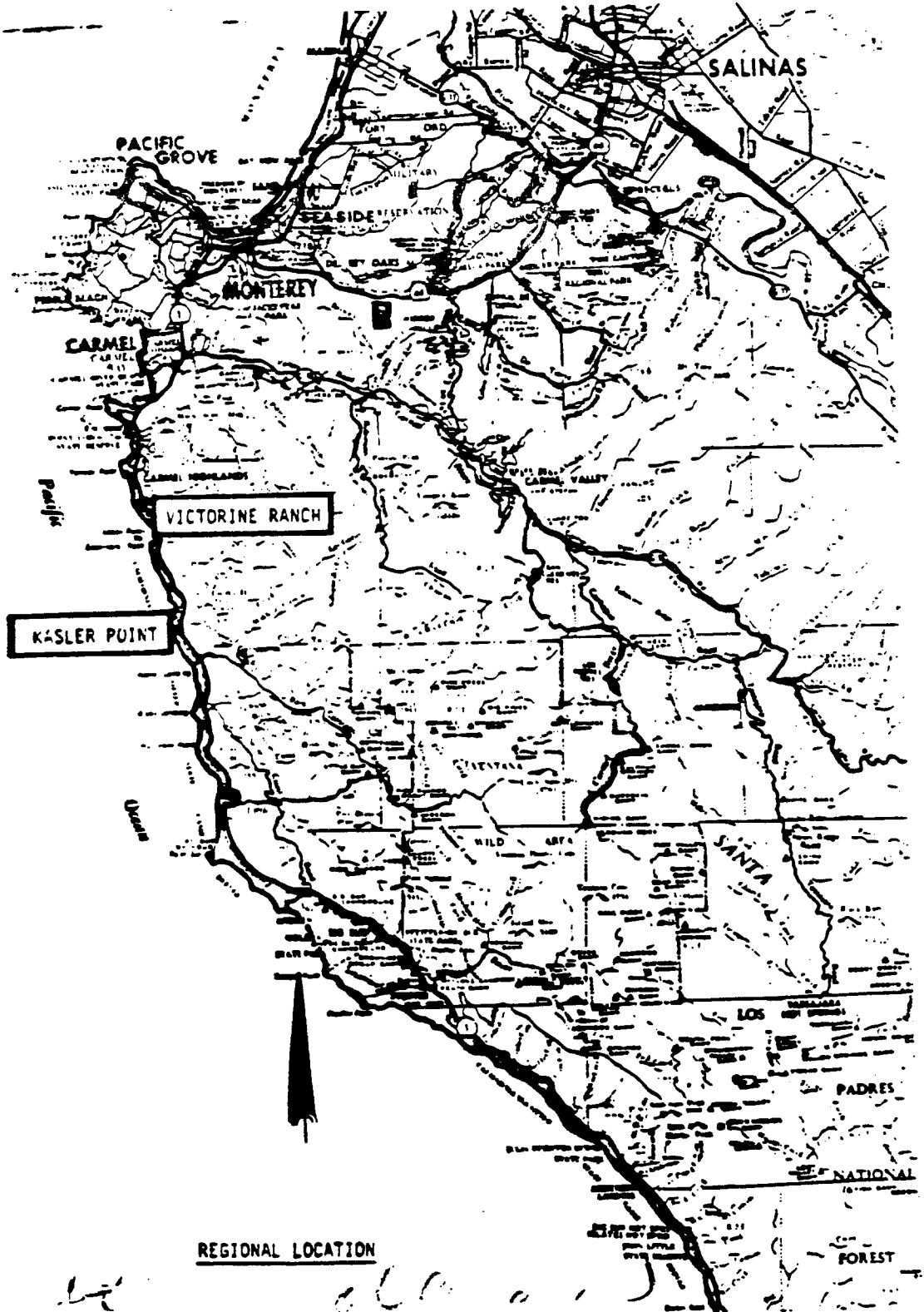
KASLER POINT DONOR SITE

Kasler Point, a dome shaped and rocky headland that juts into the Pacific Ocean, is an important component of the rugged and scenic landscape of the Big Sur coast. It provides the only paved and designated public vista point on the northern part of the Big Sur coast.

Its vegetation is native species consisting of shrubs and low succulents specifically adapted to the coastal environment.

The parcel is not subject to inundation or floods of any kind.

Two non-exclusibe right of ways for road and utility purposes encumber the property.



REGIONAL LOCATION

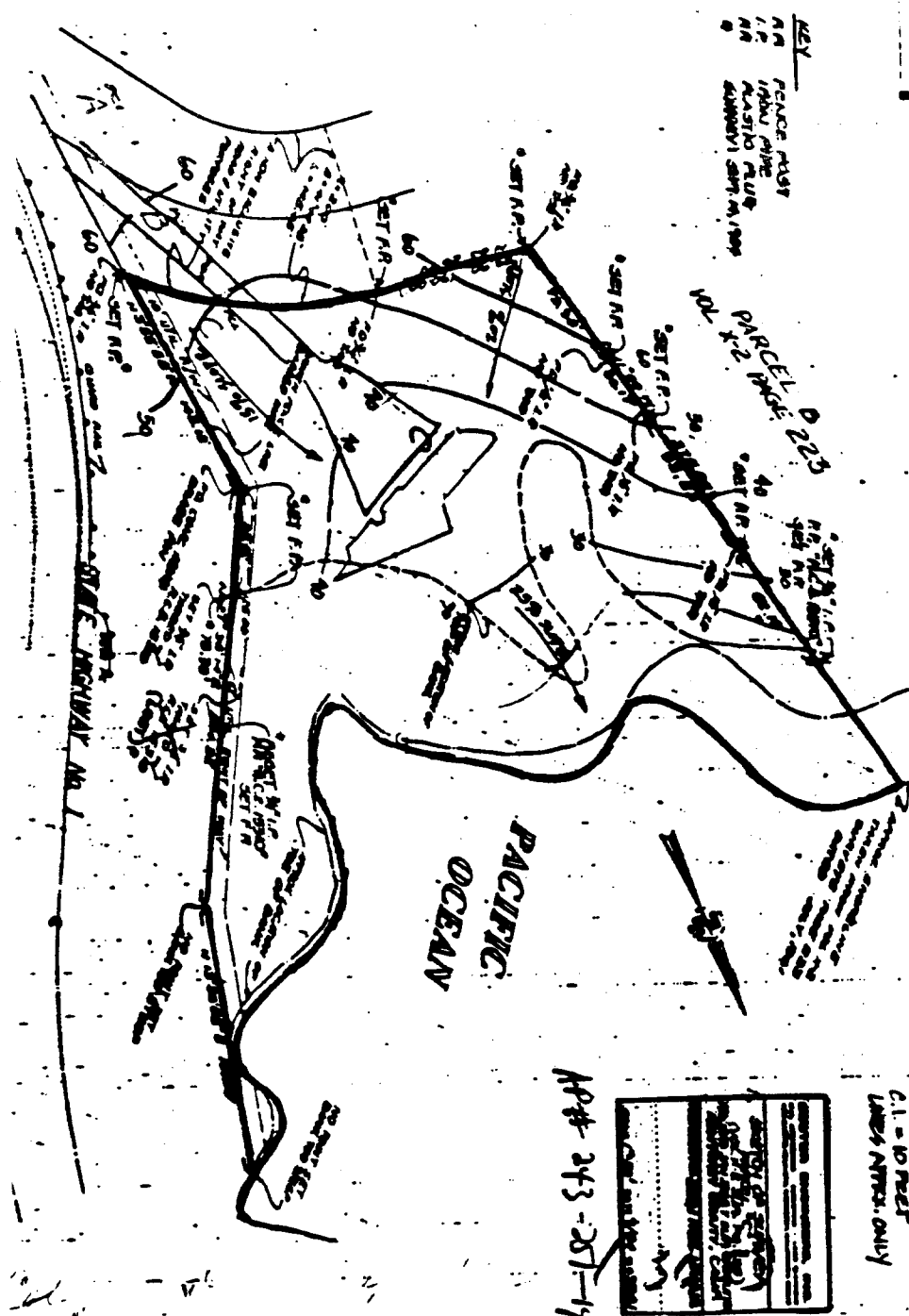


EXHIBIT C

**LEGAL DESCRIPTION OF PUBLIC ACCESS EASEMENT
IN (A.P.N. 243-251-14) BIG SUR
FOR CALIFORNIA STATE COASTAL CONSERVANCY**

CERTAIN real property situate in Rancho San Jose Y Sur Chiquito, County of Monterey, State of California, particularly described as follows:

A strip of land 10 feet wide the centerline of which is being described as follows:

PARCEL 1

COMMENCING at the most southerly corner of that certain 2.0 acre parcel shown and designated as Parcel C' on that certain Record of Survey Map filed October 18, 1961 in Volume X-2 of Surveys at Page 223, Records of Monterey County, California; thence along the easterly boundary of said parcel, as said boundary also being the westerly line of State Highway No. 1,

- (a) N. 3° 55' 58" W., 143.12 feet; thence
- (b) N. 27° 36' 14" E., 41.33 feet to the TRUE POINT OF BEGINNING; thence leaving said boundary and line
- (1) N. 69° 56' 30" W., 16.09 feet; thence
- (2) N. 83° 12' 58" W., 24.48 feet; thence
- (3) S. 53° 51' 30" W., 17.42 feet; thence
- (4) N. 80° 0' 48" W., 30.38 feet to a point hereinafter being referred to as Point 'A'; thence
- (5) N. 40° 53' 36" W., 35.70 feet; thence
- (6) N. 61° 36' 32" W., 21.69 feet; thence
- (7) N. 72° 35' 57" W., 18.85 feet; thence
- (8) N. 7° 38' 48" E., 21.63 feet; thence
- (9) N. 22° 51' 49" W., 18.24 feet; thence
- (10) N. 82° 0' 15" W., 14.19 feet; thence
- (11) N. 30° 22' 17" W., 19.25 feet; thence
- (12) N. 51° 52' 54" W., 23.16 feet; thence
- (13) S. 74° 48' 59" W., 24.48 feet; thence
- (14) N. 46° 47' 50" E., 28.23 feet; thence
- (15) S. 82° 42' 18" W., 18.85 feet; thence
- (16) N. 55° 22' 51" W., 9.20 feet; thence

(1)

- (17) N. 32° 28' 25" W., 15.05 feet; thence
- (18) N. 28° 47' 12" W., 26.64 feet; thence
- (19) N. 33° 53' 22" W., 19.74 feet to a point hereinafter being referred to as Point 'B'; thence
- (20) N. 24° 39' 32" W., 30.18 feet; thence
- (21) S. 84° 47' 25" W., 21.36 feet to a point on the westerly boundary of said Parcel C, said point bears (along said boundary) N. 11° 00' W., 320.00 feet distant from the southwesterly corner of said parcel.

PARCEL 2

BEGINNING at hereinabove described Point 'A'; thence

- (1) N. 28° 39' 40" W., 22.75 feet; thence
- (2) N. 17° 11' 7" E., 12.36 feet; thence
- (3) N. 18° 35' 12" E., 19.28 feet; thence
- (4) N. 8° 5' 49" E., 15.00 feet; thence
- (5) N. 16° 18' 33" W., 16.27 feet; thence
- (6) N. 42° 30' 26" W., 15.79 feet; thence
- (7) N. 30° 35' 25" W., 10.76 feet; thence
- (8) N. 27° 12' 42" E., 11.10 feet; thence
- (9) N. 34° 22' 00" E., 9.96 feet; thence
- (10) N. 40° 52' 27" E., 12.80 feet; thence
- (11) S. 43° 24' 20" E., 19.15 feet; thence
- (12) S. 57° 59' 52" E., 29.09 feet; thence
- (13) S. 28° 44' 39" E., 27.44 feet; thence
- (14) N. 24° 37' 00" E., 23.60 feet; thence
- (15) N. 35° 42' 39" W., 41.83 feet.

PARCEL 3

BEGINNING at hereinabove described Point 'A'; thence

- (1) S. 64° 27' 30" W., 15.18 feet; thence
- (2) S. 63° 10' 21" W., 16.78 feet; thence

(2)

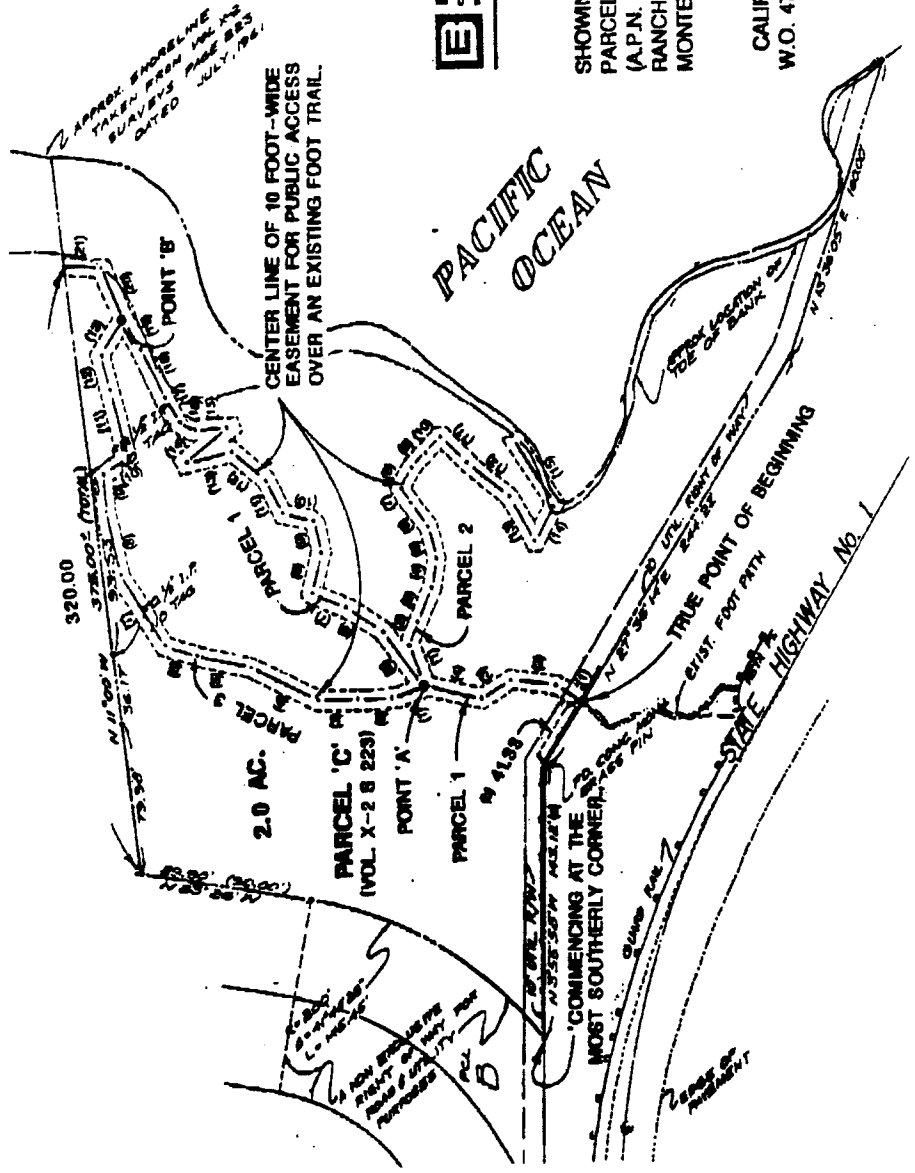
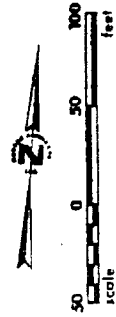
- (3) S. 86° 13' 29" W., 24.16 feet; thence
- (4) N. 68° 3' 08" W., 41.61 feet; thence
- (5) N. 82° 10' 40" W., 24.43 feet; thence
- (6) N. 77° 26' 33" W., 17.25 feet; thence
- (7) N. 37° 9' 00" W., 43.31 feet; thence
- (8) N. 17° 54' 30" W., 34.69 feet; thence
- (9) N. 12° 30' 01" W., 19.04 feet; thence
- (10) N. 51° 26' 27" E., 17.30 feet; thence
- (11) N. 17° 17' 32" W., 37.67 feet; thence
- (12) N. 17° 12' 18" W., 18.45 feet; thence
- (13) N. 20° 10' 35" E., 21.38 feet to a point hereinabove described as Point 'B'.



RAMON M. NIERVA
Registered Civil Engineer #21618
State of California
Expires: 30 September 1993

28 March 1990
W.O. 4769.01
RMN/cb.0492

(3)



B BESTOR ENGINEERS, INC.
CIVIL ENGINEERS - SURVEYORS - LAND PLANNERS
9701 MAIN STREET, SUITE 100, SAN JOSE, CALIFORNIA 95128

SURVEY MAP

SHOWING PUBLIC ACCESS EASEMENT IN
PARCEL "C" (VOL. X-2 SURV. PG. 223)
(A.P.N. 243-251-14).
RANCHO SAN JOSE Y SUR CHIQUITO,
MONTEREY COUNTY CALIFORNIA

FOR
CALIFORNIA COASTAL CONSERVANCY
MARCH 1990
W.O. 4769.01

END OF DOCUMENT

When recorded return to:
MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY
PLANNING DEPARTMENT
Attn: Laura Lawrence
168 W ALISAL ST, 2ND FLOOR
SALINAS CA 93901
(831) 755-5025

*original
Cert of Acceptance
sent to L. Lawrence
6-17-11*

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed or grant dated from the State of California to the County of Monterey, a political corporation and/or governmental agency is hereby accepted by order of the Board of Supervisors on May 24, 2011, (or by the undersigned officer or agent on behalf of the Board of Supervisors pursuant to authority conferred by resolution of the Board of Supervisors adopted on May 24, 2011,) and the grantee consents to recordation thereof by its duly authorized officer.

Dated: May 24, 2011

By: *Jane B. Parker*
Jane B. Parker Chair
PRINT NAME & CAPACITY OF ABOVE

For: Monterey County Board of Supervisors

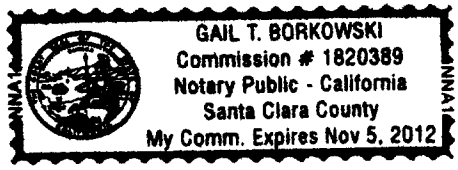
STATE OF CALIFORNIA)
COUNTY OF MONTEREY)

On May 24, 2011 before me, Gail T. Borkowski, a Notary Public, personally appeared Jane B. Parker, 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 *Gail T. Borkowski*



**ACKNOWLEDGMENT BY THE CALIFORNIA COASTAL COMMISSION
OF ACCEPTANCE OF OFFER TO DEDICATE**

This is to certify that _____ is a public agency acceptable to the Executive Director of the California Coastal Commission to be Grantee under the Offer to Dedicate executed by _____ and recorded on _____ as Instrument No. _____, in the office of the County Recorder of _____ County.

Dated: _____ California Coastal Commission

Hope Schmeltzer, Chief Counsel

STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

On _____, before me, JEFF G. STABEN, a Notary Public, personally appeared HOPE SCHMELTZER, who proved to me on the basis of satisfactory evidence to be the persons(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 _____